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## DEBATE ON RESOLUTIONS

RESOLUTIONS TO

### REPEAL OF THE "BRITISH NORTH AMERICA ACT,"

IN THE

#### HOUSE OF ASSEMBLY OF NOVA SCOTIA;

SESSION 1866.

Hon. Mr. WILKINS, Attorney General, moved the following Resolutions on the subject of Confederation, in the House of Assembly, on the 5th February:—

"That the members of the Legislative Assembly of this Province, elected in 1863 simply to legislate under the Colonial Constitution, had no authority to make or consent to any material change of such Constitution, without first submitting the same to the people at the polls.

"That the resolution of the 10th April, which preceded the enactment of the British North America Act, is as follows:—

"Whereas in the opinion of this House it is desirable that a Confederation of the British North American Provinces should take place,

"Resolved therefore, That His Excellency the Lieutenant Governor be authorized to appoint Delegates to arrange with the Imperial Government a scheme of Union which will effectually ensure just provision for the rights and interests of this Province, each Province to have an equal voice in such delegation, Upper and Lower Canada being for this purpose considered as separate Provinces."

"This was the only authority possessed by the Delegates who procured the enactment of the 'Act for the Union of Canada, Nova Scotia and New Brunswick.'

"That even if the House of Assembly had the constitutional power to authorize such delegation, which is by no means admitted, the foregoing resolution did not empower the Delegates to arrange a Federal Union of Canada, Nova Scotia and New Brunswick, without including in such Confederation the Colonies of New Brunswick and Prince Edward Island.

"That no delegates from the two last named Colonies having attended, and an unequal number from each of the others being present, the delegation was not legally constituted, and had no authority to act under the said Resolution, which expressly required each of the Colonies to be represented by an equal number of delegates.

"That the delegates did not ensure just provision for the rights and interests of this Province, as they were by the express terms of such Resolution bound to do in arranging a scheme of Union, but as the contrary they entirely disregarded those rights and interests, and the scheme by them consented to would if finally sanctioned deprive the people of this Province of their rights, liberty, and independence, rob them of their revenues, take from them the regulation of their trade, commerce and laws, the management

of their railroads and other public property, expose them to arbitrary and excessive taxation by a Legislature over which they can have no adequate control, and reduce this free, happy and self-governed Province to the degraded condition of a dependency of Canada.

"That no fundamental or material change of the Constitution of the Province can be made in any other constitutional manner than by a statute of the Legislature, sanctioned by the people, after the subject matter of the same has been referred to them at the polls, the Legislature of a colonial dependency having no power or authority implied from their relation to the people as their legislative representatives to ever throw the Constitution under which they were elected and appointed.

"That the scheme of confederating Canada, New Brunswick and Nova Scotia was never submitted to the people of this Province at the polls before the 18th day of September last, upwards of two and a half years after the British North America Act was, by the Queen's Proclamation, declared to be in force, when the people were thereby informed that they had been subjected without their consent to the absolute domination of more populous and more powerful colonies, and had lost their liberty.

"That there being no statute of the Provincial Legislature confirming or ratifying the British North America Act, and the same never having been consented to, or authorized by the people at the Polls, nor the consent of this Province in any other manner obtained, the preamble of the act reciting that this Province had expressed a desire to be confederated with Canada and New Brunswick is untrue, and when the Queen and the Imperial Legislature were [led to believe that this Province had expressed such a desire a fraud and imposition were practised upon them.

"That the truth of the Preamble of the British North America Act, reciting the desire of Nova Scotia to be confederated is essential to the constitutionality of the statute, and if the same is false the statute is defective, because a statute cannot be rendered unconstitutional by assuming as true the condition which is indispensable to its constitutionality.

"That from the time the scheme of confederating was first devised in Canada until it was sanctioned by the Imperial Act in London, it was

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kept from the consideration of the people of Nova Scotia at the polls, and the Executive Council and Legislature, in defiance of petitions signed by many thousands of the electors of this Province, persistently and perseveringly prevented the same from being presented to the people.

"That at the recent election the question of Confederation exclusively occupied the attention of the people who were then for the first time enabled to express their will on a subject of the most vital importance to their happiness, and the result has proved that this Province does not desire to be annexed to Canada, and that the people of Nova Scotia repudiate the enforced provisions of the British North America Act, which, for the reasons set forth in the foregoing Resolutions, they believe to be unconstitutional and in no manner binding upon the people of Nova Scotia.

"That the Quebec scheme which is embodied in the British North America act, imprudently attempted to be forced on the people of Nova Scotia, not only without their consent but against their will, has already created wide-spread irritation and discontent, and unless the same be withdrawn, will, we fear, be attended with the most disastrous consequences, as the loyal people of this Province are fully conscious of their rights as British subjects, set an inestimable value upon their free institutions, and will not willingly

ly consent to the invasion of those rights, or to be subjected to the dominion of any other power than that of their lawful and beloved Queen.

"That the colonies were politically allied to each other by their common relationship to the Queen, and her Empire, in a more peaceable and less dangerous connection, than under any scheme of Colonial Confederation that could be devised, even on the fairest, wisest and most judicious principles.

"That the people of Nova Scotia do not impute to Her Majesty the Queen and her Government any intentional injustice, as they are well aware that fraud and deception were practised upon them by those who misrepresented the public sentiment of this country, and who, for reasons we will not venture to describe, desired that Confederation might be forced upon this Province without the consent and against the will of the people.

"That an humble address be presented to the Queen, embodying the substance of the foregoing Resolutions, informing Her Majesty that her loyal people of Nova Scotia do not desire to be in any manner confederated with Canada, and praying Her Majesty to revoke her Proclamation, and to cause the British North America act to be repealed, as far as it regards the Province of Nova Scotia."

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## DEBATE ON THE REPEAL RESOLUTIONS.

MONDAY, Feb. 10.

## HON. ATT. GENERAL'S SPEECH.

Hon. ATTORNEY GENERAL addressed the House as follows:—I regret proceeding to the debate on these resolutions in the absence of the hon. member for Inverness, but having been informed that he is not likely to be in his place for some days, I find it necessary to go on with the discussion. I do so with the less regret because I know that this debate will be reported with accuracy, and that consequently that learned and hon. gentleman will be put in possession of the arguments which I and my friends on this side of the House intend to use. I regret that my vocal organs are not just now in very good order, and that I feel some difficulty in addressing the House; but I shall endeavour to discharge the duty devolving upon me as well as I can under existing circumstances. I am about to lay before the members of the House, before the people of this country, and probably before the people of England, the facts of one of the most important political cases that ever arose in the Colonies, and in order to do so satisfactorily I shall endeavor to show the true condition in which this country was placed before certain political changes took place in its constitution. I shall endeavour in the first place to show that Nova Scotia was a well governed and law respecting, a contented and a happy country. She was a well governed because her institutions were moulded in miniature on the model of the British constitution, which is the finest political system by which any nation was ever governed—a system calculated to maintain order and harmony among all orders of people—a system under which obedience to law and the necessary result of obedience to law, liberty, have been better maintained than in any other country; for, sir, however paradoxical it may seem, it is a literal truth that the highest degree of freedom consists in obedience to law. It is obedience to law which preserves to me my rights and liberties, my property and my life; and therefore, however inconsistent it may seem, it is actually true that the highest degree of liberty consists in obedience to law; and that country which possesses institutions calculated to produce that result, must be the happiest nation on earth. Now the constitution of Nova Scotia was based upon the principles of the British Constitution—those principles which best suit the genius of the people. Its whole condition was different from those of any other country on the Continent of America, and the constitution which was granted to the people of this province by King George II., and which had been enlarged and greatly improved by his successors on the throne of England, was a well working constitution. It was as much like the British constitution as it was possible to make things which are different in their nature. There were some defects in it, among which the greatest certainly was the want of a court for the impeachment and punishment of political offenders. That was a deficiency in our system,—without it no system of Respon-

sible Government can be perfect, and it is certainly curious, but by no means very remarkable, that the great statesmen who have originated this splendid constitution for the confederation of Canada have taken precious good care in its manufacture,—whilst they have established courts for the administration of ordinary justice, as well as courts of appeal—to leave out the court of impeachment, which, considering the nature of the men who formed that constitution, and who are likely to be instrumental in carrying it out, would be the most important court of all.

When we compare our constitution in Nova Scotia with that of the Great Republic, the contrast must be favorable to this province. We admire the people of that country, we have sincerely sympathised with them in their recent distress and troubles. We feel towards them all the emotions of fraternal affection, but we do not approve of their constitution. We consider that their institutions are possessed of two fatal defects—the one is democracy, the second Confederation. We consider that having our little constitution moulded upon the monarchical institutions of England, makes it infinitely superior to that of the United States, although the latter is a master work of human hands, and the finest piece of composition ever prepared by men for political purposes. It was manufactured by men who were really statesmen—by men who loved their country—by men who had been educated in an English school—by men who had sense enough to perceive the beauties of the British constitution—by men who endeavoured with the utmost imaginable pains and skill to apply the principle of the British constitution to a democratic system and form of government; but the people of the United States were unfortunate, after having separated from England in 1783, in the political system which they instituted. Had they combined in a legislative union—had they incorporated all the States into one Legislature, having one set of laws and revenues, they would undoubtedly, at this time, be the greatest nation upon the earth. They certainly would not have been second to any other; but, unfortunately, they chose Confederation, and that Confederation has resulted as every Confederation must result, for it is impossible so to adjust the rival and discordant interests of different countries under a Confederation as to maintain permanent harmony. It is not in the nature of things that they should continue as separate and individual countries, having separate legislatures and individualities, without clashing with one another at some time or other. We have seen, notwithstanding the skill with which that famous constitution of the United States was made—notwithstanding the intelligence of that people, that great evils have made their appearance already. The Confederation was broken, an internecine civil war deluged their land with blood, and they expended in three years more than probably three times the amount of the national debt of England, in money, and the destruction of their property; and,



sir, at this moment there is no man on earth who is able to say what is to be the result of the political affairs of that great country.—An earthquake is growing under their feet, and no man can tell when and where the volcano is to burst, bringing with it destruction and ruin. I make these observations with the greatest possible regret, for I believe that every man in Nova Scotia wishes well to the people of the United States, although the people of this province have no desire to be connected with them. They are too wise, too sensible to desire for a moment to part with their own well-working public institutions, and enter into Union with the States.

I shall now turn your attention to another Confederation—the Confederation of Canada—and contrast it with the United States, and show you that if it be not desirable to enter into the Union with the United States, Confederation with Canada is absolutely hateful and detestable to the people of this country. We object to a union with the American States, because we disapprove of *Democracy and Confederation*, but there is a worse political combination, that is *Oligarchy and Confederation*. If we dislike the constitution of the United States we are bound to hate and detest the constitution which the Confederation Act has prepared for the people of those fine colonies. If we were to join the United States, Nova Scotia would possess all the freedom that every State of the Union possesses. We would have the choice of our own Governors, of our Senators, of our Legislators; we would have the power of self-taxation and self-government in the highest degree; but what would be our position if we suffered ourselves to be dragged into this hateful union with Canada, where would Nova Scotia's freedom be? Before the British America Act was imposed upon us Nova Scotia was as free as the air. How could the people of this country be taxed? There was no power to tax them except this House, their own servants, whom they commissioned to tax them. Is that the state of things now? Have we any power over the taxation of this country? Does not the Act in question confer upon Canada the fullest power of taxing all the property of Nova Scotia at their arbitrary will? What is our control over that Legislature? We have but a paltry voice of 19 members in the popular branch, but a single one in the other. We have, therefore, to protect the rights of this country from spoliation, only 19 members out of 253. If we should continue in Confederation we should not be governed by the people, as is the case in the United States, but by a little knot of Executive Councillors in Canada. Therefore we have no disposition to unite with the one or the other—neither with the United States nor with Canada; and, sir, if we were driven to the necessity of making a choice between the two calamities, we would be bound to choose the least, and that would be, to join the United States of America, and participate in their liberty and prosperity rather than submit to the tyranny of Canada. We would have to prefer the democratic tyranny of the one country to the oligarchical tyranny of the other, and there would be no difficulty in making a choice; but thank Heaven we are

not called upon to choose between them. We have a constitution of our own, and that belongs to the people of Nova Scotia; and I am going to show you that the constitution they enjoy is their own property—that the Parliament of England had no power to take it away from them—that the British America Act is entirely unconstitutional—that Nova Scotia has never been legally confederated with Canada—and it rests with her to say whether she will ever be so or not.

Before I come to look to the constitution of this country, I must make a few remarks with regard to England. We intend to send to the mother country certain gentlemen authorized to present to the Queen our humble address, praying Her Majesty to relieve us from this Confederation with Canada. We go in the most perfect confidence that our prayer will be heard. We know to whom we are going to appeal. We are not placed in the condition that the old thirteen colonies were in under old King George III. We have a very different person to deal with in Queen Victoria. We have to approach ministers very different from those of the last century. We have no stubborn King like George III.; we have no prejudices of the royal mind to counteract; we have not the infatuation of his ministers to meet. We have the greatest princess that ever adorned a human throne—a most virtuous Queen, who, when she accepted the sceptre, took the oath that she would rule the country according to the laws, customs and statutes of the realm. She has most nobly fulfilled her obligations, and, in answer to the prayers of her own church, “she has been endowed most plentifully with heavenly gifts.” In her person she is an example of every virtue; her obedience to the laws exalts her above all monarchs.—Her personal virtues are brighter than all the gems which adorn her Imperial diadem. It is to a Queen like this that the people appeal. Have the people no right to present themselves before their Sovereign Queen? Has not this ever been the most loyal portion of her dominions. Did not our forefathers flee from their country because they would not participate in rebellion? Did they not leave their property for their king's sake? I have seen a resolution passed by the Legislature of Nova Scotia at the time the thirteen colonies rebelled actually petitioning the King to impose taxes upon the Province to assist the Empire in its extremity. From that time to this the people of Nova Scotia have been the most loyal that ever dwelt in any part of Her Majesty's dominions. They will have confidence in presenting themselves before the Queen, and asking to be restored—to what? To anything that they have no right to demand? Simply to get their own. Can any man suppose for a moment that they will be rejected by a Sovereign like ours? We need be under no apprehension. We are pursuing the proper course to obtain a legitimate end, and there is no power on earth that can prevent the people from being restored to their rights but downright tyranny, and that we cannot expect from the hands of the Queen and her Government. Do not let the loyalty of Nova Scotia be suspected. Has any one a right to suspect it? Look at the injuries

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done to this Province within the last six months. See their liberties taken away; see them taxed by a foreign and alien Legislature; see their property taken from them;—all their customs handed over to others, collected by strangers before their very eyes. See stamp duties and tea duties imposed upon them. Those very acts which forced the old thirteen colonies to rebellion have been imposed upon Nova Scotia with the same extraordinary fatuity. And yet have the people rebelled? I have heard of no movement of agitation on the part of the people beyond the simple burning in effigy of one of the delegates. If that delegate had belonged to the United States, instead of being burned in effigy, he would have been burned in reality. If men commissioned by any State in the American Union to negotiate any arrangement affecting the constitution returned with such a bargain as these men returned with, they would not have been permitted to live. The slow process of justice would not have been extended to them, but that has not been the case in Nova Scotia. This law-respecting people have made no movement, but they are going to submit to it no longer. The time for forbearance is at an end. They had no means of constitutionally speaking until now, and they intend to make use of it. If it should be unsuccessful, I may be asked what will be the consequence? I am hardly going to anticipate that the appeal of the people can be unsuccessful. I deny the possibility of failure, but then I assert on the behalf of the people as long as the Queen of England extends to the people of Nova Scotia her protection so long will the people refuse to withdraw their allegiance. So long as they are protected they will be loyal and faithful; and, sir, let it happen that the Queen of England and her ministers in Parliament, regardless of the past, regardless of the loss of the old colonies, shall determine to trample on the rights and liberties of this country; if they should do so, then it will indeed be a dark and gloomy hour. Sir, when by the decrees of inexorable fate the flag of England and the name of Englishmen shall be taken away from the people of Nova Scotia, and the flag and name of any other country substituted, then I prophesy that this Province will be turned into a house of mourning, and every eye will shed hot burning tears of bitter regret and inexpressible woe.

Now, having made these preliminary remarks, I shall turn your attention to the history of our Constitution. I have heard men assert that we have no valid constitution—that it is made up of despatches. I have been at the pains of examining into this question, and can show you that Nova Scotia has had a chartered constitution, an irrevocable constitution—one that no power on earth can take away except by force or violence. Neither the Queen nor Parliament of England has any right to touch or abrogate that constitution. This country was originally known by the name of Acadia and was in the possession of the French at one time, and in that of the English at another—was long, in fact, debateable ground. The French at last made the settlement of Port Royal, at present called Annapolis.

They fortified it in the early part of the 18th century; but an expedition was fitted out by a person of the name of Nicholson, from Boston, who came over and forced the French garrison to capitulate. Consequently the Province was at this time conquered by the British. In 1713, soon after the conquest, by the treaty of Utrecht Louis XIV. assigned Acadia to Queen Anne of England, to herself and her heirs forever. I have before me the language of this treaty—it is striking and plain:—"Yielded and made over to the Queen of Great Britain and to her heirs forever." From that time to this Nova Scotia has continued to belong to the British Crown, and the first inquiry we meet is this—what was the effect of that conquest and subsequent cession by Louis XIV. to Queen Anne? What was her title? Her title was absolute, in fee simple—higher than the title any man in England or America possesses to his estate—higher than the title possessed by the Prince of Wales when he purchased, the other day, a hunting ground in England. The Prince of Wales holds his estate from the Queen, who is the lady paramount of all the lands in the country, and he may forfeit it to Her Majesty; but that was not the case with the gift to Queen Anne. She became the absolute owner of Nova Scotia. It did not belong to the people or Parliament of England, who had no more to do with it than the people of Turkey. It was properly transferred, and belonged absolutely to Anne, the Queen of England, and her heirs forever. For 34 years after this cession it remained the property of the Queen and her heirs, and she could do with it just as she pleased—just as any man in this House might sell an estate belonging to him. She might put a tenant on it, and regulate the covenant under which the tenant would hold it. In 1747 it came into the hands of George II., and he, being desirous of having it settled by English subjects, promised the people of England who would undertake the settlement of the country that he would give them the British Constitution in miniature. Accordingly he ordered a patent to be drawn up, with the Great Seal—a Seal larger than the crown of a hat—for Lord Cornwallis, by which he granted to the people of Nova Scotia the constitution they were to possess. I shall call your attention briefly to the words of that part of the patent which refers to the establishment of a Legislative Assembly in the Province. He established by this patent a Governor in the place of King, a Council in the place of Lords, and a House of Assembly in the place of Commons, and made the constitution of the colony as nearly like that of Great Britain as he could. "And we do hereby (this patent is dated 6th May, 1747,) give and grant unto you (Edward Cornwallis) full power and authority, with the advice and consent of our said Council, from time to time, as need shall require, to summon and call general assemblies of the freeholders and planters within your jurisdiction according to the usage of the rest of our plantations in America, and that you, the said Edward Cornwallis, with the advice and consent of our House of Assembly or the major part of it, shall have

full power and authority to make and ordain (here is power given to the Legislature) laws, statutes and ordinances for the public peace, and welfare, and good government of our said Province and of the people and inhabitants thereof, and such measures as shall tend to the benefit of us and our successors, which said laws and ordinances are not to be repugnant, but as nearly agreeable as possible to the statutes of this our said Kingdom of England."

This solemn deed and covenant cannot be repudiated. After Cornwallis obtained this patent in 1747, he and the other Governors who succeeded him were very slow in calling together the freeholders in order to give the people the benefit of this Assembly, and accordingly in 1757, or ten years after the granting of the patent, a correspondence took place between the Ministers of George II. and Governor Lawrence, in which the Ministers called upon the latter to execute that deed, and to give to the people their Legislative Assembly. Mr. Lawrence thought he could make as good laws as any Assembly, and he and his Council persisted in passing laws. From the time the constitution was given, instead of calling the Legislature together, he summoned the Council, and with them made laws for the government of the Province. In 1755 the subject was brought to the notice of the Crown Officers of England, for the people of Nova Scotia complained that their charter had not been carried into effect, and some of them refused obedience to the orders in Council, on the ground that no rules and regulations could be made for the government of the people except through the House of Assembly, after that charter had been given. The matter was referred to William Murray and Richard Lloyd—the Attorney and Solicitor Generals of England—the former of whom subsequently became Lord Mansfield, one of the most eminent of English jurists. And here is their opinion—"We have taken the said observations into our consideration, and we are humbly of opinion that the Governor and Council alone are not authorized by His Majesty to make laws."

Here is the opinion of these distinguished jurists that the king could not make laws for the colony. The King having given the charter in question, had no power to make laws. Wherever a country is conquered, the conqueror to whom it is ceded has the power to do as he or she pleases in its management. He may, if he chooses, allow the inhabitants of that country to make their own laws, or put them all to death, or he may send them a code of laws made by himself, and allow his Governors to execute them within the country. But if he confers upon the country any privileges, the deed is obligatory upon himself and heirs, and he cannot annul it, he is bound to submit to it. It is just the same with an individual: as soon as he signs a deed for a piece of land to his neighbor, neither he nor his heirs, can afterwards dispute that seal. The day the King signed that deed and appended the seal to the commission of the Governor, he conceded the power to make laws. Both his Attorney and Solicitor Generals tell him, we have looked at Lord

Cornwallis' patent, and you have not the power to make such laws. No law can be binding upon the people of Nova Scotia except such as are passed in accordance with that charter. To show how completely irrevocable these charters are, I will briefly call your attention to a case which arose many years after, in 1774. Lord Mansfield then delivered his opinion, in the Court of Queen's Bench, upon a case which had been a number of times solemnly argued. After the conquest of Grenada, the King of England gave a Commission to a gentleman of the name of Melville, almost identically the same as that he gave to Cornwallis. This deed was signed in the month of April, 1764, but Governor Melville did not proceed to take charge until the following December. In the meantime the King issued letters patent under the great seal, on the 20th July, 1764, laying a tax upon the people of Grenada—performing, in fact, an act of legislation. The case was brought up for argument; the merchant who had paid the tax having come over to England, and having been allowed to try it by the Attorney General. The judgment of the Court was that the tax was illegal because the King, when he signed that Commission to Melville, ceased to have any power over Grenada. Here are some of the observations made by Lord Mansfield: "After full consideration, we are of opinion that before the letters patent of the 20th July, 1764, the King had precluded himself from the exercise of legislative authority over the island of Grenada." Again he said: "We therefore think after the \* \* \* \* \* and the Commission of Governor of Melville, the King had immediately and irrevocably granted to all who are or shall become inhabitants of Grenada, the right of having their legislation exercised by an Assembly and a Governor in Council."

Now, Mr. Speaker, I shall endeavor to bring this argument to a close by inviting the attention of the House, and of the people of England to whom I am speaking at this moment, to the great importance of Nova Scotia to the British Empire. This is a subject which has never been well considered. The old colonies are the most valuable portions of the earth—by the stubbornness of a British King and the stupidity of his Ministers they were lost to the Empire; and that dismemberment was the most serious that ever befell the British nation. Lord Chatham actually died protesting against it. Nova Scotia stands on the front of the American continent just as England does in that of Europe. She possesses great mineral wealth, the source of England's greatness. Her coal and iron, with the energy of her people, have brought the mother country to her present high condition. We possess the same advantages—we too are almost an island. If Nova Scotia were lost to England she might bid adieu to New Brunswick, to Prince Edward Island, and to Newfoundland. These four Maritime Provinces together have a territory similarly situated to the British Isles, and are capable of sustaining a population equal to theirs. Now Great Britain has been to Nova Scotia a very affectionate parent. She has been most kind to us, but we sometimes hear the states-

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men of England grumbling a little about the expense incurred in defending these colonies. I must confess I cannot see what that expense is. Great Britain is a maritime nation and a military power. She must have the best navies on the ocean and one of the strongest armies in the field. Where could she maintain her troops and navy more economically than in these Colonies. The climate is a very healthy one; the statistics show that mortality here is less than in any other part of the world. The people of England would never consent to a standing army remaining in their own country. Therefore the scattering of the troops through the colonies has been a kind of necessity. Therefore, so far from those colonies costing England anything they are little or no expense to her. She was always a kind mother although not a wise one at times. When she adopted her trade policy in 1848 she left these colonies entirely unprotected; she left the trade of Nova Scotia to be managed by people who knew nothing about it. She had up to that time managed our trade herself; she withdrew her fostering care and left us to walk alone. We have managed to live very happy and contentedly, but she did not act wisely towards these colonies. Since 1848 no less than six millions of people have left England, Ireland and Scotland; where have they gone to? They have gone directly past us into the United States. If England had been a judicious foster mother she would have diverted the emigration into these colonies. If she had encouraged the commercial advantages of Nova Scotia and the agricultural capabilities of Canada we would now be a strong nation instead of having only four millions of souls in our midst. We would have a population of nine or ten millions, and instead of being afraid of invasion the people of the United States would be pleased to think during their internecine war that such was the peaceful character and orderly disposition of Her Majesty's Colonies in America that there was no danger to be apprehended from them.

I believe there is no time that a parent knows the value of the child he loves until he hears the cold earth falling upon the coffin, and the sad words, "earth to earth, ashes to ashes, dust to dust." Let England transfer this little province to the United States, and she will, after a few years' time, wake up to the loss she has sustained. If the people of the United States succeed in restoring the union, in healing the differences between the North and the South, and in concentrating their tremendous energies, she must become one of the greatest powers of the world. She is now a great naval power, but give her the harbour of Halifax,—which in her hands could be made just as impregnable as Gibraltar. Give her the coal, iron, and fisheries of Nova Scotia, and her power will be largely increased, and millions of people will pour into this country. The fisheries alone of these provinces would be to the United States a nursery for a million or a million and a half of seamen. How long would England then boast of her maritime supremacy? When the Americans had only a few miserable ships they brought more disgrace upon the British flag than any

other nation ever succeeded in doing. What would they be if, when challenged to the test by Great Britain, they had possession of the Colonies in addition to their ordinary strength? Suppose in the order of things France, another great naval power, should combine her energies with those of the United States, against England, in what position would the mother country be? How could she contend with such maritime nations as these? Therefore the loss of these Colonies might lead to the degradation of England, and instead of standing at the head of nations she might be lowered to the condition of a secondary state, if indeed she were not converted into a province of France.

I shall now very briefly call the attention of the House to the resolutions before it. They develop the arguments on which we ask for a repeal of the Union. The first clause contends that the Legislative Assembly of Nova Scotia had no power to change the constitution; they had none except what was given them in the charter. Parliament had no power over this country—it never had any. This country belonged to the Queen of England, and our Assembly had no constitutional right to consent to or make the slightest alteration in the constitution under which they were elected to make laws. That is the position which we take, and I would like to see the British constitutional authorities examine this subject, for I am convinced they will acknowledge that I am correct. The second resolution is to the effect that the only authority which the Delegates had was derived from the Assembly, who had no power to give any such authority at all. Even this authority, however, they disregarded. Their authority simply extended to the negotiation of the terms of a Federal union between all the British North American Colonies. They had no power to select three provinces and confederate them, and therefore in that respect they did not act up to their authority. Then, sir, their delegation was not legally constituted. If I gave a power of Attorney to A. B. and C. to transact business for me, A. and B. cannot do it without C., unless I make it optional for them to do it jointly or severally; but if I authorize three men jointly to execute a deed for me, or do any other act, any two of them cannot legally perform the duty. If the House of Assembly authorized a delegation to be constituted, consisting of an equal number of men from Upper and Lower Canada, New Brunswick, Prince Edward's Island, Newfoundland, and Nova Scotia, the delegates had no power to act unless this stipulation was carried out. No constituent assembly was constituted—it could make no constitution, or do any act until all the delegates were present. If there were 5 from one province and 6 from another, the whole proceeding was a nullity, because the delegation was not constituted according to their instructions. Then again they were told that they were to make just provision for the rights and interests of Nova Scotia. How did they do that? They gave the whole province away. We had a well-working constitution; we made our own laws, raised our own revenues, and taxed ourselves. We owned railways, fisheries, and



other public property, but they gave them all away for nothing. We can at any moment be taxed to any extent arbitrarily by an oligarchy in Canada.

The sixth resolution states that no change can be made without an appeal to the people. Here is a self-evident proposition. The constitution belongs to whom? To the House of Assembly? No. To the Legislative Council? No. It is the property of the people of Nova Scotia—every man, woman and child are the owners, and it cannot be taken away from them without their consent. Even the arbitrary monarchies of Europe admit that principle. When Napoleon seized upon the Empire what did he do? At all events he went through the ceremony of sending around the ballot box, and asking the people whether they were willing to change their constitution. The other day two States of Italy, Nice and Savoy, were transferred after the Austrian campaign, and what was done? Did one king sit down and cede the country to the other? No; the people were called upon to decide whether they were prepared to accept the change of constitution or not. No constitution can be lawfully and constitutionally taken away without consulting the people who own the constitution. This is a self-evident proposition—just as evident as the fact that no man can have his farm taken away from him without his consent.

These resolutions go on to argue that the people of Nova Scotia were never consulted until the 18th September, 1867, after the British North America Act had passed the Parliament, and the Queen had given it force by her proclamation. They were there for the first time asked whether they were willing to accept the change of constitution. Then did the people answer emphatically that they would have nothing to do with it. These resolutions state that the preamble of the Imperial Statute is false, and I believe that when the Quebec scheme went home no such words were in it. But no sooner did the crown officers cast their eyes over it than they, knowing the constitutional course in all such matters, perceived that it was impossible for the Imperial Government to legislate upon the question without the consent or request of the people of these colonies. Accordingly they added the preamble declaring that "whereas the people of Canada, Nova Scotia and New Brunswick desire to be federally united, &c." That statute could not have been placed before the Imperial Parliament unless it had these words in it, for it would be unconstitutional unless the people of these colonies had testified their assent to it. Therefore the preamble being false, the statute is unconstitutional and falls to the ground.

The resolutions go on to say that the people were not only not consulted, but that they were purposely and designedly prevented from being consulted. Is not that a true statement? What did the House of Assembly who recently sat upon these benches, with no great credit to them, do in the month of March last? When it was moved that the people of Nova Scotia had a right to be consulted at the polls, whether they would consent to be confederated or not, that resolution

was negatived by 32 against 16 representatives of the people. Whose servants were these 32 persons? The servants of the Executive Council; they ignored the authority of the people, and said that the constitution of Nova Scotia belonged to Dr. Tupper and a few others. Then I think we have asserted strictly in accordance with the fact that the people of Nova Scotia were systematically and perseveringly kept from passing upon the subject of confederation. We have also stated with truth that the last election turned entirely upon confederation. I have heard men venture to assert that other issues entered into that election, but men who say this will state anything. No man living before or during the election, can venture to deny the fact that confederation was the great question which excited the people from one end of the province to the other. Now there is another clause which tells us that these colonies were, in the opinion of the people of Nova Scotia, united to each other by a connection better and superior to that of any confederation that could be derived even upon the fairest and wisest terms. I believe that to be literally true. It is a matter of political opinion. I have always thought that the system of confederation was the worst by which we could be united. It is impossible so to regulate the conflicting interests of the different countries in a manner that will prevent conflicts and difficulties arising. If you leave to the several countries their individuality and allow them to retain their local legislatures whilst you attempt to combine them at the same time under one general head, the experiment will be fatal—in time it must and will end in civil war and the shedding of blood. I believe that has been the experience of the world with respect to Confederation. The provinces have now four governments instead of three. If they were really united they would be stronger, inasmuch as the whole is stronger than the parts, they would have one head, one legislature, one revenue, one set of laws, one tariff. On the other hand, for the reasons I have previously given, the system of Confederation is, in reality, the worst that could be devised for these Colonies, if the wish is to promote harmony and prosperity among them.

We shall pass these resolutions and we may, if necessary, add one or two more; and when we have done so, it is the design of the Government and House to send Delegates to England as soon as we can, to submit to the Queen a humble Address, embracing the substance of these resolutions; and I have much pleasure in announcing, so far as I am able to judge, my belief and conviction that the Delegation cannot possibly fail of success.

#### SPEECH OF HON. MR. TROOP.

Hon. Mr. Troop said:—In rising this afternoon to second the resolutions laid on the table by the Attorney General I feel, Mr. Speaker, that I would like to have the Parliamentary experience of yourself or of the hon. gentleman who so ably and eloquently laid the case of Nova Scotia before the House. Before taking up the thread of the argument

let me for a little while turn the attention of the House to the position which Nova Scotia occupies to-day as compared with that which she occupied a few years ago, before our Legislature undertook to deal with the question of Confederation. The Province was then peaceful, prosperous and happy—lying along the seaboard our people had lived free and contented,—their sailors went down to the sea in ships,—their ship-builders sent out those merchantmen for which Nova Scotia is famed, bearing the flag of England over the wide world,—capitalists were developing the mines of the country, and throughout the length and breadth of the land there were evidences that Nova Scotia was rising to be a free, rich, happy and prosperous country. If there had been anything occurring among us to change that state,—had there been a voice in Nova Scotia raised against the position we were occupying or any of our surrounding circumstances,—anything leading our people to seek political and constitutional changes,—we might have less cause for complaint, and the members of this Legislature would not be in the position which they occupy to-day, called upon to take a bold stand for the rights and liberties of their countrymen. I rejoice that our country is yet a British colony,—that we have the British flag above our heads and the British constitution at our back, and that in this discussion we can rise superior to the little knot of servile tools, who, in defiance of public opinion, have had the audacity to slander and insult the people to their teeth. In the argument which I am going to use on this occasion I will show that the people of Nova Scotia asked for no constitutional changes and desired none, and that the public records are replete with proofs of the assertion. When I look across the water at Old England, and learn from her history what struggles were required to make her what she is to-day, I rejoice that in this country we can trace back our ancestry to some of the men who had fought their nation up to her present high standard. And looking there for precedent instead of public discussion and free debate being confined, instead of her public men taking a leap in the dark, and the opponents of any great measure being taunted with disloyalty, we find in the Parliament, in the press, and on the platform equal free, open, manly argument and debate,—we find none of the loyalty which is dressed out in buckram and court trappings, we find the people understanding their rights and liberties, and bringing to the front the highest statesman in the land who dares to override a single right which the people possess.

In entering on this discussion I do so feeling that I am a British subject, that I have the same rights which a man has who is born on the soil of England. And I feel likewise that if this discussion could have been transferred across the Atlantic, the delegates and the contemptible press that supported them would have had to debate this question on its merits, and not in such a way as to outrage the feelings of all who were not subservient to their views. I will not travel far back over the records touching this vexed

question, for the main arguments lie in so narrow a compass that in a short time I think I can bring forward the whole case fully and fairly as it stands between Nova Scotia and Canada. I think it is our duty in this debate to throw all the light that is available on the question, and to produce all the information from public despatches and otherwise, that may strengthen our case when it comes to be laid before the Parliament of Great Britain. In the first place then I ask the attention of the House to a despatch dated in 1859, signed by Messrs. Cartier, Rose and Galt, three of the leading statesmen of Canada, and by this I will bring Canada to bear witness against Canada. It is not the people of the Maritime Provinces who originated the charges against the Canadians, of which we have so often heard, for these three gentlemen admitted that in 1858 to such an extent had party strife and faction gone, that the politicians of that country were like so many Kilkenny cats tearing at each other's throats, and we find that those able minds of British America had brought their country into a state of degradation and confusion, so inextricable that they were obliged to go to the parent country and ask the British government to relieve them of their difficulties by dragging in the Maritime Provinces. That despatch elicited a reply from Sir E. Bulwer Lytton, then Secretary of State for the Colonies, and what was that reply? "Nova Scotia has a constitution of her own,—her people have done nothing to forfeit their constitutional rights, they are loyal to the Crown, and while they maintain their allegiance and perform their duties as good citizens and free born subjects of the Empire, we will not interfere with them,—go and do your own work,—show that you are fit to govern yourselves, and then get the people of the other Colonies to join you if you can!" That was the substance of the advice which Sir Bulwer Lytton gave to those statesmen. Did they take it? Not they—but immediately commenced plotting to obtain by artful wiles what they could not obtain fairly and constitutionally. Here is the record of Canadian faction, as drawn by three of her oldest statesmen:

"It is our duty to state that very grave difficulties now present themselves in conducting the Government of Canada in such a manner as to show due regard to the wishes of its numerous population. The Union of Lower with Upper Canada was based upon perfect equality being preserved between these Provinces, a condition the more necessary from the differences in their respective language, law and religion—and although there is now a large English population in Lower Canada, still their differences exist to an extent which prevents any perfect and complete assimilation of the views of the two sections.

"At the time of the Union Act, Lower Canada possessed a much larger population than Upper Canada, but this produced no difficulty in the Government of the united Province under that Act; since that period, however, the progress of population has been more rapid in the western section, and



claims are now made on behalf of its inhabitants for giving them representation in the Legislature in proportion to their numbers, which claims investing, it is believed, a most serious interference with the principles upon which the Union was based, have been, and are, strenuously resisted by Lower Canada.

"The result is shown by an agitation fraught with great danger to the peaceful and harmonious working of our constitutional system, and consequently detrimental to the progress of the Province."

"The necessity of providing a remedy for a state of things that is yearly becoming worse, and of allaying feelings that are daily aggravated by the contention of political parties, has impressed the advisers of Her Majesty's representatives in Canada with the importance of seeking for such a mode of dealing with these difficulties as may forever remove them. In this view, it has appeared advisable to them to consider how far the union of Lower with Upper Canada could be rendered essentially federative in combination with the Provinces of New Brunswick, Nova Scotia Newfoundland and Prince Edward Island, together with such other territories as it may be hereafter desirable to incorporate with such confederation from the possessions of the crown in British North America.

"The undersigned are convinced that Her Majesty's Government will be fully alive to the grave nature of the circumstances referred to, which are stated by them under the full responsibility of their position as advisers of the crown in Canada. They are satisfied that the time has arrived for a constitutional discussion of all means whereby the evils of internal dissension may be avoided in such an important dependency of the empire of Canada."

I think that this language shows what the views of the people and government of Canada were at that time in seeking a Union with the Maritime Provinces. We hear now a good deal about loyalty—about the necessity of binding together these Colonies by an Intercolonial Railroad; but did the people of Canada say anything about such small matters then? Were they filled with loyalty and prompted by a desire to build up a second England on this continent? We hear not a word about that; but they tell the British people and government, "we are fighting tooth and nail; we cannot get along harmoniously; and because we are in that condition we pray your Majesty's government to bring about a Union which will give us the control of the Maritime Provinces." This is the first piece of evidence that I produce against Canada, and I produce it to show that in seeking for a Union the Canadians, instead of being animated with feelings so noble as those which have been ascribed to them—instead of desiring to lay the corner stone of a great nation, all they desired was to get representation by population, in order that Western Canada might govern British America as it pleased. Had we returned up to the present hour the men of calibre and intellect who labored to found our institutions and who filled our councils in 1760, instead of the men who have ruled Nova Scotia for the last four years, our history would have

told a different tale. If we had been governed by the men who helped to build our constitution, we would not now be engaged in a fearful struggle to regain what perfidy has taken from us. Sir E. Bulwer Lytton, in his reply, says:—

"The question, however, is one which involves not merely the interests of the important Province of Canada and its relations towards the Empire, but also the position and welfare of the other North American Provinces." \* \* \* "We think that we should be wanting in proper consideration for those governments if we were to authorize, without any previous knowledge of their views, a meeting of delegates from the Executive Councils, and thus to commit them to a preliminary step towards the settlement of a momentous question, of which they have not yet signified their assent to the principle."

The next piece of evidence in connection with this subject we find in the Journals of 1861, when a resolution was passed on the construction of which the Canadian delegates based their constitutional right to legislate away this country. I have heard, as the discussion progressed, that the legislature had a right to do as it did, and that the delegates had a right to do as they did, because of this resolution of 1861, which merely expresses that "whereas the question of a Union of the Colonies had been before the country for a long time, and for the purpose of setting the public mind at rest, the government should be authorised to send delegates to confer with the Canadians on that and other subjects. Can the stream rise higher than its source? When the delegates went to Canada, and nothing came of their mission the resolution became a dead letter; very many thought that the question was set at rest, and so did these delegates and this legislature of Nova Scotia, because when they came to discuss a union of the Maritime Provinces, we find the Provincial Secretary introducing a fresh resolution to effect that Maritime union. Where was the question of British policy then? Why were we not then told: "you are doing wrong; Great Britain desires you to confederate with Canada—to build up a great nationality, with one foot on the Atlantic, and the other on the Pacific?" Not a word was said about that. These resolutions were acted upon by the Nova Scotia Government; but no sooner did the delegates go down to Charlottetown, than Lord Monok, with a strange assumption of power, attempted to lead them from their legitimate mission. He says in this despatch, dated 30th June, 1864, to Major-General Doyle, who then administered the Government of Nova Scotia:—

"I have the honor to inform you that it is the wish of the Canadian Government to send a Delegation to attend the Conference which it is proposed to hold this year, of gentlemen representing respectively, Nova Scotia, New Brunswick, and Prince Edward Island, with a view to the Union of those Provinces. The object of the Canadian Government is to ascertain whether the proposed Union may not be made to embrace the whole of the British North American Provinces. I shall feel much obliged if you will inform me of the time and place which have been fixed on for the meet-

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ing; and I trust the presence of a Canadian Delegation will be agreeable to their brethren of the Maritime Provinces."

I am dealing with this question from a constitutional point of view, and bringing to the bar of public opinion Lord Monck, and the delegates who attempted to override the constitution. The doctrine that they had the right to do as they did, seems to have dawned on their minds at a very late date, for Dr. Tupper's government, through Sir Richard McDonnell, replied to Lord Monck in the following language:

"In the meantime I can assure your Lordship of the extreme pleasure which it will afford this Government, to confer unofficially with any Delegates sent from Canada. It is, however, necessary to remind your Lordship that no Resolution has yet been passed by any of the Legislatures of the Maritime Provinces, authorising the appointment of Delegates for any purpose but that of considering some plan for the Union of the three Provinces. Therefore, neither I nor my Ministry have the power to go beyond the exact powers conferred by that Resolution."

This is constitutional law as laid down by Dr. Tupper and his Government,—there is a statement deliberately made by the Government, but which they saw fit to repudiate in twenty days after date. And what did Mr. Cardwell say on the subject? Did he say "you have not carried out the policy of this Government—the British Government desire Confederation with Canada to take place?" Not a word or a syllable to that effect came across the water, but in plain and explicit terms the people were told that the official mission was to consider a union of the Maritime Provinces. Twenty days afterwards we find these delegates going to Quebec. I will not follow them there among the champagne revelries and drunken routs,—we have heard sufficient of that. Instead of acting as if they were laying the foundation of a great nation, it appeared as if they had gone off to a midnight rout or a shindy in the backwoods. But the fact is that the Canadians having got the delegates into the leading strain, entrapped them into the Quebec resolutions. Then we all know that when the Legislature attempted to deal with the question it excited one universal storm of disapprobation throughout the country. When public opinion is formed in this country upon any grave subject, it is by neighbor meeting neighbor around the fireside, in social gatherings, and by friendly, mutual conversation,—then comes into play the intelligence of the country. I have heard ignorance imputed to our people,—and it was said that the ignorant class of the population are Anti-Unionists,—that a great many able and intellectual men, all the judges, all the ministers and all the high functionaries are in favor of the Union. I take here a bold stand and say: Suppose the judges and ministers and nabobs and high officials are in favor of it, what is that if the people are against it? The people are the greatest, for if you destroy the people's rights you impair the whole fabric of the constitution. Destroy the rights and you make the people feel degraded, and what then is the value of courts of justice and schools

and pulpits? Give the minds of the people free room and play—do not put a padlock or a gag upon them. It is that intelligence running like lightning through the land that has shattered the ranks of the Confederate party to atoms. When the Legislature came to deal with the question at its first session the delegates failed to carry out the arrangements they had made with their colleagues in Canada: they were to have asked the House to agree by resolution to the Quebec resolutions. Why did they not do it? Because, there were no corrupting influences at work,—the majority of the Legislature were opposed to the scheme,—they told the Premier they would not consent to a union with Canada on such terms, and (moreover that they would agree to no scheme which had not been ratified by the people. The result was that the Premier declared the measure impracticable, and led the people to suppose that the whole question was at an end,—that there was no necessity for agitation. Coming down a little later we find that the Premier succeeded in successfully bringing the matter before the Legislature, and having his policy ratified against the wishes of the people. Here he is met by a protest signed by members of the Opposition in which they solemnly declared the rights of the people. How was that protest treated? What did the Executive Council say to it, and to the vast majority of the people of this country?

"In conclusion, the Council may state that more than a year since they submitted the proceedings of the Quebec Conference to the Legislature, that the subject of a union of the British North American Colonies has been constantly discussed in this Province since that time. Yet the opponents of union were only able to obtain the signatures of 8,085 people out of a population of not less than 350,000 for presentation to the House during the present session, praying that it might be referred to the people at the polls. The foregoing resolution, after full deliberation and discussion, was carried in the Legislative Council by a vote of 13 to 5, and in the House of Assembly by 31 to 19. All the members of the present Government and four members of the late Government, of which Mr. Howe was the leader, united in sustaining the resolution, while but two voted against it."

That Minute of Council, prepared in the secrecy of the Council Board, under the direction of Sir Fenwick Williams, the Lieutenant Governor of Nova Scotia, was sent to England, and it stands on our Journals stamping the men who framed it with the crime of gross misrepresentation. They knew they were deceiving the British Government—that under cover of that despatch they were perpetrating an act of gross injustice and doing a cruel wrong to the people of Nova Scotia. Determined to trick the country and to perpetrate a fraud, they had left out of the Governor's speech at the opening of the session all mention of Confederation, and at a late period of the session, when no petitions had been presented in consequence of the assurance that nothing would be done, that country was taken by surprise. The Minute of Council, framed by the Govern-

ment, who had a full knowledge of the wishes of the people, assuring the Government that only 8000 persons had petitioned against the measure, was calculated to lead that Government to suppose that the great majority of the people were in favor of the union. I ask, then, in view of the state of public opinion at that period if the government of the day did not know that the statement contained in such Minutes was a deliberate untruth? I ask if it was not made to mislead and deceive the British Government? Its authors doubtless supposed that it would be shut out from the public eye until it had done its work, and after that they thought it would be too late for anything to be said about it. They sent it to the Imperial Parliament with no honest intention. Following rapidly down the record, let me ask why it was that about this time there were such breaks in the ranks of those in this Legislature who were known to be determined opponents of Confederation when every day intensified the feeling of the country against the resolutions which had been adopted by the House. Can we not see in the subsequent results: in members giving up their opposition for valuable consideration—for high and influential positions elsewhere a great deal of significance. Those gentlemen may have been as pure, as innocent and as conscientious as they claim to be—they may never have had a single stain upon their political integrity—their palms may never have felt a single piece of gold, but I cannot help thinking that if the Attorney General had a fellow in the dock, charged with a criminal offence, with evidence so presumptive against him, he would make a pretty strong case of it, and the jury would not have much hesitation in pronouncing him guilty. There is sufficient evidence, taking all the manoeuvring of the gentlemen who had the matter in hand, to shew a deep design to keep the people from expressing their opinions. They kept us from the polls up to the latest hour well knowing what the result of an election would be. When the elections did come off, the men who had been engaged in bartering their country away—the men who had thrown their influence against their own people, and in favor of Canada, hardly dared to ask for the confidence and support of the people. The day of reckoning has come with overwhelming power, and the feeling of the people against this enforced union has ever since been increasing in strength. It is like the rushing wind from the mountain carrying everything before it. When we find the men who on that day were rejected by the people whom they had betrayed leaving their country for Ottawa, I say if they can there find consolation around the palatial halls of that city or a panacea for their wounded consciences, there is no reason that I can see why Nova Scotia should not be very glad to get rid of them. I next wish to direct the attention of the House to the action of the delegates when they went on their mission across the water, and carried their measure to the House of Commons and the House of Lords. We then find Mr. Watkin making a speech that has attained great notoriety, and has become matter of history.

But for his declaration who believes that the British House of Commons would have legislated against our interests? But for his assurance that Confederation had been before the people of Nova Scotia at the polls, who can imagine that we would have been forced into this hateful and detested union? For who could doubt in the House of Commons the assertion made by Mr. Watkin that Dr. Tupper had preached Confederation at every polling booth previous to the election, coming, as it did, from the Premier himself? How could it be supposed that the accredited minister of the Province of Nova Scotia would resort to evasion and deception? Sir, in view of these facts, I may say that I would like no better case to present, on behalf of a free people, in any court of law or equity than that which can be presented by the people of Nova Scotia.

Then, again, let me turn attention to the one-sided, partial and unjustifiable action of Lord Monck. I speak of him with all the respect due to his high position, but I cannot pass over a declaration made in his speech in the House of Lords without comment. We find his lordship leaving his post on this continent, going home with the delegates, taking his place in the House of Lords, where it was supposed he fully understood the feeling both of the Maritime Provinces and Canada, and that he would be possessed of full information, there stating that the agitation in Nova Scotia was the work of half a dozen men. I can excuse His Excellency for anything but that; and when we find that speech on the public records of the country, without note or comment from him, after the 18th of September has passed and left such evidence behind of the real feeling of the people of Nova Scotia, I say that the Governor-General was in no position to open the Dominion Parliament with the speech which he made. Instead of congratulating the people of Nova Scotia on their being engaged in inaugurating the new Dominion, he should have told our people that they had been degraded. He should have explained away the speech which he made when, to carry Confederation and help his Canadian friends and their party, he went to the House of Lords and used the following language:—

"Lord Monck expressed a hope that their lordships would permit him to say a few words upon the Bill, considering the share which he had had in its origination. He would at the outset refer to one thing, which appeared to him of great importance in a constitutional point of view. It had been, he thought, most unwarrantably assumed that the Province of Nova Scotia was opposed to the union. Now, he believed the expression of opinion which had come from Nova Scotia to this country had been entirely got up by a few energetic individuals. The Legislature of Nova Scotia had, like the Legislatures of the other provinces, adopted by large majorities the resolutions proposed to them, and had sent their delegates to this country to take part in the framing of the measure which had been laid on the table. The demands of those gentlemen in Nova Scotia, if they amounted to anything, meant that the question should be subjected to the

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decision of the people, instead of its being determined by the people's representatives. Such a demand, to his mind, betrayed a great ignorance, not only of the principles of the British Constitution, but of the principles on which all Parliamentary Government was founded."

His lordship had read the history of his own country to little purpose when he could make that declaration. What is that history composed of for the last two hundred years but the history of men oftentimes struggling through bloodshed to the enjoyment of their rights—the record of men of great intellect—men whose names have been emblazoned on the roll of fame, fighting for the great principles which have made England the mistress of the world, the country to which every distressed nationality resorts as a city of refuge, under whose flag the exile is safe. Once upon the soil of Britain the fugitive is no longer likely to be stricken down; but in laying the foundation stone of the new nationality I say let us not begin the work by striking down what has cost England centuries to build up—what has been so long established in the hearts and affections of the people. Get the sympathies of the people with you, and then go on building the superstructure. Let it come to be understood that the rights of the people are one matter, and the rights of the governing oligarchy another, or that any oligarchy can control the country, striking down the independence of the people and reducing them to a condition of serfdom, and the freedom and glory of the parent country no longer belong to us. After delivering that speech in the House of Lords I wonder how his lordship could come down to Parliament and use this language:—

"I congratulate you on the Legislative sanction which has been given by the Imperial Parliament to the Act of Union, under the provisions of which we are now assembled, and which has laid the foundation of a new nationality that I trust and believe will ere long extend its bounds from the Atlantic to the Pacific ocean."

He congratulates the people of the Dominion on building up this confederation; but did he not remember the damaging record that stood against him on the other side of the ocean, when he made that declaration in the House of Lords to influence that august assembly in supporting the legislature that undertook to give away the country, and to break down every barrier that had been placed in their way? Did he forget that he had gone across the ocean in the train of the delegates, to take his place as a peer of the realm, to assist in carrying Confederation, and there to state that the agitation in Nova Scotia was the work of a half dozen individuals? If he was so instructed by his friends, the Delegates at that time, then since the 18th of September he has been undeceived, and he should since have acknowledged that up to that time he had not known the true state of the case.

We have heard a great deal, as I have said, about disloyalty, and without wishing to detain the House, I will merely turn attention to the mode in which this measure was carried. The country

believes that the Confederation act was passed through the legislature by corruption and fraud—that His Excellency General Williams, when he was sent out here, came for the sole purpose of carrying the measure—prepared to resort to any means—and lent himself, through his government, to that design. I believe that if certain festivities at Government House had never taken place, we would not be engaged in this discussion to-day. It reminds me of a dark day in old Ireland's history, when her free legislature was sold for English gold, when bribery laid the country waste, and inflicted upon it the terrible woes that succeeding generations have inherited. In May's Constitutional history, I find this passage on that subject:

"Lord Castlereagh estimated the cost of these expedients at a million and a half, and the price was forthcoming. The purchase of boroughs was no new scheme, having been proposed by Mr. Pitt himself, on the basis of his measure of Parliamentary reform in 1785, and now it was systematically carried out in Ireland. The patrons of boroughs received £7,500 for each seat, and eighty-four boroughs were disfranchised. Lord Devonshire was paid £52,500 for seven seats, Lord Ely £45,000 for six. The total compensation amounted to £1,260,000. Peers were further compensated for the loss of their privileges in the national council by profuse promises of English peerages, or promotion in the peerage of Ireland; commoners were conciliated by new honors, and by the largesses of the British government. Places were given or promised, pensions multiplied, secret service money exhausted. In vain Lord Cornwallis complained of the "political jobbing" and "dirty business" in which he was "involved beyond all bearing," and "longed to kick those whom his public duty obliged him to court." In vain he "despised and hated himself, while negotiating and jobbing with the most corrupt people under heaven." British gold was sent for and distributed, and, at length, in defiance of threats of armed resistance, in spite of insidious promises of relief to Catholics, and corrupt defection among the supporters of the government, the cause was won."

The luckless viceroy applied to himself the appropriate lines of Swift:

So to effect his monarch's ends  
From hilt a viceroy devil ascends;  
This budget with corruption crammed  
The constitutions of the damned.  
Which with unsparing hand he stroves  
Through courts and senates as he groves;  
And then at Beelzebub's black hall  
Complains his budget is too small.

How aptly this language can be applied to the gentlemen who carried on the work of corruption in this country—they must, like Alexander, have wept because they had no more worlds to conquer when they got weak-kneed politicians to Government House under the influence of the appliances which eventually induced them to hand over the political rights of this country to the Canadian government. The people, I say, took this ground; and in battling for their rights and privileges, and asking for free discussion and debate, they have been charged by

a portion of the press and the supporters of a certain faction with being Fenian sympathisers and annexationists. All I can say is that the first article having such a tendency was from a Confederate journal of this city. If such sentiments are advocated in the press we can charge home upon the Confederate party for having such a paper among them. It seems that a few years ago the public mind of the United States was set on the *quiver* to see whether that country could get hold of the Provinces, and had it not been for Nova Scotia I believe that these Colonies would have gone long ago. Where were we when annexation clubs were formed throughout Canada, and when annexation flags were thrown to the breeze by their prominent men? We were true to our allegiance, warning the people of Canada that their course would bring them into disgrace. Let it not, then, be charged upon us that, because we believe the tendency of Confederation to be the handing over of the Province to the United States, and because we have no desire to become a part of that country, the Anti-Confederate party, or the Government, or the gentlemen who sit on these benches have disloyal tendencies. That slander has gone far enough; the men who originated it do not dare to repeat it in open day, where they can be confronted; but in the back slums of Halifax a portion of the press that is justly held beneath contempt has been busy in the circulation of the slander. When they pour out the vials of their wrath let them remember that their shafts do not touch us, because we will carry forward the struggle in which we are engaged in strict obedience to the British Constitution, and with no disloyal sentiment escaping our lips. With them "the wish is father to the thought;" it is because they desire annexation that they love Confederation and the principles which it embodies rather than monarchical principles. When they charge disloyal sentiments on our people they had better see where their own principles are leading them. Mr. Darby, in his report on the fisheries, says:—

"The Provinces have long desired expansion. Their territory contracts as it runs easterly, and presents in a northern latitude a narrow front on the Atlantic. New England lies between Canada and the sea. A few years since, the *Halifax Morning Journal*, an influential paper of Nova Scotia, presented a plan for annexation, from which we make the following extracts, viz.: 'In the much wished-for event of a consolidation of the Colonies, the possession of Maine is of vast importance; more, perhaps, than we have been wont to imagine. A glance at the map will show, that at present she destroys the symmetry of the proposed confederation.—She stands like a wedge driven up to the butt in a foreign country, and it gives rise to the idea that but a few more blows are needed to effect a complete separation of Canada and New Brunswick. Nor is it symmetry alone which demands the annexation of Maine; there are other reasons of far greater importance why this should, if possible, be effected, and which we propose to set plainly forth in this article.'

"The Nova Scotia plan did not take—it was

premature. It is cited here merely to show the aspirations of the Colonies, and as a precedent for this discussion, for it makes annexation a Provincial measure. We can afford to be more generous and give to the Provincial plan a shape more comprehensive, more statesmanlike, more consistent with the rights of all."

Here then we have a Confederate Journal, which now brags of its loyalty, foreshadowing the ground-work of a Scheme by which the Colonies were to be handed over to the United States, and yet we are the disloyal men. Our accusers are very loyal men, but Washington gold might possibly overcome their loyalty. What are we to think when we have annexation sentiments proclaimed by the press of Halifax, and when a portion of the people with whom it was the intention to confederate us have petitioned for admission to the American Union? Is that the people with whom we are to join in order to build up a new nationality. Is a union formed with such a country likely to be a solid and permanent one under the British Crown? Another idea thrown out was that unless we went into the union the British government would cast us off. Why should they do so? Nova Scotia came forward and put her Militia into a sound state of organization, when Canada was quarrelling about her Militia bills, and when her government was attacked for proposing a Militia grant. Great Britain, I take it, desires that we should do our duty, and let us be once out of Confederation and the people will meet their wishes by providing for their defence in every reasonable way,—but in so providing let it be understood that we have no wars, no national States,—we are in the position of the son to the father; the father ruling, the son enjoying security and peace. We have nothing to defend ourselves against;—if a war should break out to-morrow between Great Britain and another power, we would not be consulted, but we might be obliged to assist in bearing the brunt of it. We would do so willingly in subordination to the Crown and Imperial government, because we desire to uphold the glory of the British flag, but while doing so we deny the right of a legislature, elected for no such purpose, to sweep away our constitution and to place us under the domination of a government removed beyond our control. If time permitted I might refer to the geographical position of these Provinces. We have territory enough for thirty states, we have vast tracts of wilderness country, stretching to the Pacific and back to the Rocky Mountains, in which there is not a man to build a fort or man a gun. We have four millions of people scattered over half a continent, and with such a country—with scarcely an inhabitant to a square mile—we are asked to believe that we are in a position to found a new nationality. The idea is truly absurd, and can lead to but one result. Nova Scotia will be no party to so monstrous a proposition. Nova Scotia asks, loyally, constitutionally asks for a repeal of this most obnoxious act upon the following, among other grounds:

1st. Because the constitution of Nova Scotia being a charter granted to this coun-

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try by the British Government, giving the  
people the right of self-government—the  
right of regulating their own trade and  
commerce—the unrestricted right of dispos-  
ing of their own revenues, and the power of  
general legislation under such constitution—  
cannot be materially altered or changed  
without the sanction of the people.

2nd. Because the people of Nova Scotia  
have been no parties to the alteration of the  
constitution, but on the contrary have used  
every available means to prevent the passing  
of the "British North America Act," and by  
petition to the Legislature, and by loyal ad-  
dresses to the Queen, and by petitions to the  
Imperial Parliament of England, have pro-  
tested against the Confederation of this Pro-  
vince with Canada.

3rd. Because a majority of the Legislature  
of Nova Scotia who usurped the power of  
legislating upon Confederation were elected  
and held their seats under the constitution  
they attempted to destroy, and by fraud and  
deception misled the Government of England  
by declaring that they represented the views  
and wishes of the people of Nova Scotia.

4th. Because the "British North America  
Act" deprives us of constitutional rights and  
privileges enjoyed by Nova Scotia for a cen-  
tury—which Act was formed in contemptuous  
defiance of such rights and privileges.

5th. Because a willing submission to the  
provisions of that enactment will stamp the  
people of Nova Scotia as servile dependants  
upon Canadian charity.

6th. Because it has despoiled us of our re-  
venues—deprived us of the right of regulat-  
ing our tariff, and placed the power of tax-  
ing the industry and resources of this coun-  
try in a Canadian Government, over which  
we can exercise no control.

7th. Because the Journal of this Legisla-  
ture show that Canada has sought this Con-  
federation not because she desired to perpe-  
tuate British institutions upon this continent  
—not by reason of her love for the old flag  
and her loyal devotion to the British crown,  
but because of the shameful and disgraceful  
fueds and faction fights between Upper and  
Lower Canada, which had rendered consti-  
tutional government in that country a sham  
and delusion—which had made her public  
men contemptible in the eyes of the world,—  
and having brought their country to this  
humiliating and degraded position, they  
sought to drag in the free, prosperous and  
happy Provinces of Nova Scotia and New  
Brunswick under Confederation as "make-  
weights," in order, if possible, to relieve  
themselves of the disadvantages under which  
they labored.

8th. Because the Union of the Maritime  
Provinces with Canada, under such circum-  
stances, will lead to the most deplorable re-  
sults; and, if not repealed will, sooner or  
later, eventuate in disaster to the whole.

9th. Because the Government of the so-  
called Dominion has already entered upon a  
most extravagant system of expenditure, not  
warranted by the revenues of the Dominion,  
and will result in taxing still further the rate-  
payers of this country.

10th. Because the acquisition of new terri-  
tory by the Dominion of Canada is a source

of weakness to the so-called Confederation,  
and may result in involving this Province in  
bankruptcy and ruin.

11th. Because this country cannot adopt  
the absurd idea embodied in the British North  
America Act, by which British America, em-  
bracing half a continent with a sparse popu-  
lation, is to be governed and controlled by  
a government at Ottawa—the provinces of  
Ontario and Quebec being the controlling  
powers.

12th. Because the people of Nova Scotia  
cannot recognize the necessity of assuming  
liabilities for the defence of British Columbia,  
or of placing themselves in a position to be  
called upon at any time to defend a country  
thousands of miles away.

13th. Because the alleged fact that the  
Legislature of British Columbia has petition-  
ed to be received into the United States of  
America is calculated to weaken any union  
of the whole of British America, and taken  
in connection with the fact that a portion of  
the people of Canada have heretofore exhib-  
ited by disloyal and treasonable manifestations  
their repugnance to British monarchical in-  
stitutions, and their preference for those of  
the United States, leads the people of Nova  
Scotia to repudiate any connection with  
Provinces disaffected towards the British  
Crown.

14th. Because the imposition of a stamp act  
and the increase in the tariff are most tyran-  
nical and oppressive, calculated to cramp  
the expansion of trade, to retard the prosper-  
ity of the country, and to exact money from  
our people for the benefit of Canada, and  
without in any way benefiting the people  
of Nova Scotia.

15th. Because the allowance of 80 cents  
per head, and the annual subsidy granted  
from the Dominion Government, is no com-  
pensation for the large sums taken from us  
by Canada, and will be wholly inadequate to  
meet the increasing wants of this country.

16th. Because above all Nova Scotia repu-  
diates this Dominion, and asks for repeal be-  
cause her people were not consulted upon the  
measure—while the people of New Brunswick  
and the other Maritime Provinces have been  
allowed to determine for themselves whether  
or not they would be confederated with Can-  
ada.

For these reasons this Legislature and this  
Government ask the British Government for  
a Repeal of the British North America Act  
so far as it relates to Nova Scotia. I hope  
that when our loyal address is presented to  
Her Majesty it will have the desired effect,  
and that our delegates will bring back to us  
the restoration of our rights and privileges.  
When we look at the United States, and con-  
sider the internecine war, the effects of which  
are still preying on the vitality of the coun-  
try—when we see the disaffection prevailing  
in Canada, and find the public records  
charged with that which shakes our confi-  
dence in her statesmen, is it any wonder that  
we turn from Washington to London—to  
London, the metropolis of the world—Lon-  
don, with its abbeys containing the dust of  
men whose fame is handed down to posterity?  
There is the Empire to which we wish to be-  
long; we do not desire a union with the back

country of Canada, but a union with the Empire of Britain. That Empire is large enough for our ideas; the aspirations of our people lead them to seek nothing that would alienate us from the old flag, or break off the connection with the parent institutions,—but they seek rather to be drawn closer, so that an Englishman or Scotchman may feel, when he comes to British America, that he has not left one half his manhood behind him. Our delegates will go to England, and lay the sentiments coming from the people at the foot of the Throne. When they have presented the case they have in hand, I rely on it that the Queen, who can do no wrong, will give back to us what has been wrongfully and fraudulently taken away. In the meantime let us possess our souls in patience. I rejoice to see the bold stand which the people are taking throughout the country at the meetings which are being held, and I did not wonder yesterday at the flush of pride that mantled the face of the hon. member for Yarmouth as he presented the petition from his noble county on this subject. The sentiments which are coming up to us every day do credit to the feelings of the people—they show that the rights of Britons are well understood and appreciated among us. Had our people bowed down in servile submission to their rulers, they would have become the mere lickspittles of the people of Canada; but showing, as they have done, the determination that, God being their helper, they will fight this battle to the bitter end, we may defy any power to coerce us into compliance. Nova Scotians are terribly in earnest in this matter, and while remaining loyal to the constitution, will take care not to be led away by will-o'-wisp or any loud blusterings of the enemies of our people.

Our enemies may ply all the arts of falsehood and fraud, but we are determined to stand upon the sentiment that to Nova Scotians belongs Nova Scotia. Our rights are as dear to us as those of the people of England, and while doing battle for those rights, and while carrying the petitions of our people to England, I believe that ten thousand prayers will be offered up for our cause. Our clergy, instead of praying against us, will yet come to the rescue of their country, and the God of battles will defend the right. Such men as D'Arcy McGee may talk and threaten about the Militia, and the course that will be pursued to coerce us, but we say to them that it does not lie in their mouths to teach us loyalty to the Crown, until they take back the threats and libels which they have hurled at our Queen and Constitution. In confiding, then, sir, in the justice of our cause, in the wisdom of the Parliament of England, and upon the sympathies of the Queen, we have met this great question calmly and constitutionally. We have no desire to treat it in any other manner. We have no wish for the storm or tempest, but we are asking for our rights, out of which we have been wronged, and the people of Canada may as well understand that the people of this country do not intend willingly to submit to the provisions of the British North America Act.

With these observations, sir, I beg leave to

second the resolutions now upon the table of the House.

Mr. PINKO, in the absence of Mr. Blanchard, laid on the table, by way of notice, several amendments to the resolutions, intimating that Mr. Blanchard would move them regularly when he was able to be in his place. (The amendments will be given at the conclusion of Mr. Blanchard's speech.)

The debate was adjourned.  
The House then adjourned.

TUESDAY, Feb. 11th.

The House met at three o'clock.

Mr. KIDSTON presented a petition from N. McInnes, of Inverness, against the return of Hiram Blanchard, Esq., which was laid on the table until Saturday next.

#### HON. MR. FLYNN'S SPEECH.

Hon. E. P. FLYNN then said:—In rising to address the House on the resolutions which have been introduced so ably by the Hon. Attorney General, I feel that I can add nothing new to a subject which has already occupied so much public attention in this country, and one that has been so thoroughly debated in all its aspects on the floors of the House, in the press, and at every hustings in the Province. I have not the vanity to suppose for an instant that I can invest the question with any novelty, or deal with it with that eloquence exhibited by those patriotic men who have so nobly advocated the interests of the people. The numerous evils resulting to this Province from a union with Canada under the terms of the British North America Act, and the great injustice done to the people by forcing them into a political connection, never sought for or desired by them, have been so clearly illustrated during the recent session of the Dominion Parliament, that I think I would be hardly justified in occupying the time of this House by any lengthy remarks with reference to that part of the subject. But I would be unfaithful to the trust reposed in me, and fail to discharge the obligations I owe to those who have honored me with their confidence by electing me to a seat in this House, nor would I be true to the convictions of my own mind, and the feelings which animate me, if I did not avail myself of this opportunity of recording my most solemn and emphatic protest against the unfairness of the Act of Union, as well as against the oppressive and unconstitutional method by which it was adopted. Notwithstanding what may be said by its advocates to the contrary, I hold that a question of such vital moment, and effecting so complete and radical changes in the institutions of this country, should never have been sanctioned by the Imperial Parliament, without its having had the most conclusive evidence that an unmistakably authentic expression of the popular will in its favor had taken place, when upon former occasions the scheme of Union was discussed in this Legislature. It has been declared that the opponents of Union have failed to adduce precedent or

authority in proof of the incompetency of Parliament to carry the measure, without submitting it to the people at the polls. But it has always appeared to my mind that it was the advocates of Union who failed to show in the whole history of British and colonial legislation a precedent or authority justifying such a summary destruction of our constitution, not only without our consent, but against our expressed wishes. We are all aware that Parliament possesses unlimited powers whilst acting under the constitution, but whilst admitting that, will any one venture to assert that the Parliament of England has the constitutional right to annex that country to France without the consent of the people? Certainly not. Therefore, how much stronger is the argument when applied to the late Legislature restricted as it was by express statutory regulations, and with powers clearly defined and strictly guarded? Whilst admitting the supremacy of Parliament in all things under the constitution, I deny the right assumed by the members of the last House in bartering away our constitution, and handing to Canada our rights and revenue without our consent. The constitutionality of this question has been handled with much ability by gentlemen on a previous occasion, that I would not feel at liberty to trouble the House at any length on that part of the subject; but there are a few extracts which have come under my observation, which, with the permission of hon. members, I will read to the House. I shall first read from a Speech of the Right Hon. Henry Grattan:—

"Parliament is not the proprietor, but the trustee; and the people the proprietor, and not the property. Parliament is called to make laws, not to elect law-makers; it is a body in one branch of delegates, in no one branch of electors, assembled to exercise the functions of parliament, not to choose or substitute another parliament for the discharge of its own duty; it is a trustee, and like every trustee, without a power to transfer or hand over the trust. A miserable quibble it is to suppose, because delegated to make law, it has, therefore, a right to make a law to destroy its own law-making, or supersede its own delegation, precluded as it is by the essential nature of its trust from annulling its own authority, and transferring the power of its creator, the society, to another country; it is appointed for a limited time to exercise the legislative power for the use and benefit of the people, and therefore precluded from transferring, and transferring forever, that legislative power to the people of another country; it is appointed, entrusted, created, and ordained, not only to exercise the legislative powers of the society, but also to preserve her rights, and instead of abolishing them by surrendering them to another country, to return them at stated periods, unimpaired, undiminished, to the people from whom it received them."

"The power of the legislative," says Mr. Locke, "being derived from the people by a positive voluntary grant and institution, can be no other than what that positive grant conveyed, which being only to make laws and

not legislators, the legislative can have no power to transfer their authority of making laws, and placing it in other hands, the legislative neither must, nor can, transfer the power of making laws to anybody else, or place it anywhere, but where the people have."

"The legislature," says Mr. Locke, "is not only supreme, but sacred and unalterable in the hands in which the community have placed it: though it be a supreme power in every commonwealth, yet it is not and cannot be arbitrary over the lives and fortunes of the people."

Mr. Bushel says: "Indeed it is difficult to give limits to the mere abstract competence of the supreme power, but the limits of a moral competence, subjecting occasional will to permanent reason, and to the steady maxims of faith, justice, and fixed fundamental policy, are perfectly intelligible, and perfectly binding on those who exercise any authority under any name or under any title in the state. The House of Lords is not morally competent to dissolve itself, nor to abdicate, if it would, its portion of the legislature of the kingdom. By as strong, or a stronger reason, the House of Commons cannot renounce its share of authority. The engagement and pact of society which generally goes by the name of constitution, forbids such innovation and such surrender. The constituent parts of a state must hold their public faith with each other, and with all those who derive a serious interest under their engagement, as much as the whole state is bound to keep its faith with separate communities. Otherwise competence and power would be entirely confounded, and no law left but the will of a prevailing force."

"The collective body of the people," says Bolingbroke, "delegate but do not give up; trust, but do not alienate their right and power. There is something which parliament cannot do; a parliament cannot annul the constitution. The legislature is a supreme, but not an arbitrary power."

"The power of Kings, Lords, and Commons," says Junius, "is not an arbitrary power. They are the trustees, not the owners of the estate. The fee simple is in us; they cannot alienate, they cannot waste. When we say the legislature is supreme, we mean that it is the highest power known to the constitution, that it is the highest in comparison with the other subordinate powers established by the laws. In this sense the word supreme is relative, not absolute. The power of the legislature is limited, not only by the general rules of natural justice and the welfare of the community, but by the forms and principles of our particular constitution."

The principles laid down in these extracts seem to be so perfectly in accordance with the British constitution and the dictates of common sense, that I unhesitatingly adopt them as conclusive. Even if the Union were calculated to confer on Nova Scotia all the benefits so flippantly predicted by its advocates and promoters in the last House, they were nevertheless bound to submit the measure to the people for their approval. Had they done so at the proper time, as they

should have done; like honest men and faithful guardians of the trust reposed in them, all the present excitement in connection with the question would have been avoided. The men who were chiefly instrumental in passing this Union, have attempted to justify their position and conduct by stating that the people were actually in favor of it. In the discussion of this question, previous to its consideration by the Imperial Parliament, it was asserted by a leading member of this House that the intelligent public sentiment of Nova Scotia was in favor of Union. A more unfounded and deliberately untrue statement was never before uttered in this House. In proof of the untruthfulness of that statement, I need only refer to the elections held last autumn, when we saw the people of every section of the country voting against the Union scheme with an unanimity unparalleled in the history of any country. Such was the hostility manifested by the measure, that out of fifty-seven representatives, only three were returned to sustain it, and those by exceedingly small majorities. So far from the country showing an intelligent public sentiment in favor of Union, it is decidedly opposed to it. Even here in the metropolitan county, where intelligence and wealth are supposed to predominate, and where, it was alleged, the greatest benefits would accrue from the measure, by making Halifax the terminus of the Intercolonial Railway, and as a consequence the Liverpool of British America—five members were returned to oppose the scheme. It has also been stated that the people of this province, in voting as they did, were actuated by a desire to punish the men who denied them the constitutional right to pass upon the measure, rather than by any serious objection to Union itself. The fallacy of this statement is so apparent that it needs no refutation from me. Will not the Nova Scotia party in this House bear testimony to the contrary? It is true they punished the men who ignored their rights, and considered them wanting in intelligence to pronounce upon the merits or demerits of one of the most momentous questions ever offered for public consideration. It is true, they punished the men who, by an arbitrary exercise of power, deprived them of their constitutional right of self-government, who handed them over to extravagant and profligate Canadian politicians, and gave them the power of exacting from us the necessary funds to carry on their projects or their profligancy; but the political prerogative which gave them the power to punish the barterers of their country's independence, invested them at the same time with the privilege of condemning a union forced upon them by fraud and intrigue—a union that, so long as they remained in it, must leave their commerce, their constitution, and their liberties dependent upon the will and caprice of every Dominion Ministry; and they now demand of us, as their representatives, that we use every constitutional means in our power to release them from the injustice and oppression of an act which in their opinion has neither a legal nor a moral force. It has now been most conclusively shown that from the inception of this measure up to the present moment the

overwhelming majority of the people have always unmistakably manifested an unconquerable repugnance to it. They clearly saw that in a House of 181 members, their 19 would be powerless to affect anything in their interests; that by this Union they would give up their dearest rights and privileges—their constitution and their liberty—for a wretched modicum in a Canadian partnership, and become dependent upon majorities composed of men who cared nothing about the welfare, sympathized less with the feelings, and knew nothing of the wants, of Nova Scotia. Whilst such are the feelings of the people of this Province, it is impossible that a real and solid union, not depending on an act of Parliament, but upon the mutual interests and the mutual affections of the people, could be permanently established. For upwards of a century, both Provinces have advanced from infancy to manhood, under the aegis of the British Crown. We were always willing to entertain and act upon every reasonable proposition for free and unrestricted commercial intercourse, but ever jealous and watchful of our political rights and privileges. By a free intercourse of trade, or commercial union, both Provinces might have prospered, without rivalry or jealousy, in separate persons, but having united interests, under the protection of our common parent—the Crown and Government of England. Instead of the people of this Province desiring political connection with Canada, they instinctively shrink from it. They naturally dreaded a political connection with a country in which they beheld a wasteful extravagance on the part of her public men, and, under a high tariff, annual deficits in her revenue; while they saw their own country, with a low tariff, making rapid strides in commercial and political activity, and having an annually increasing surplus in our revenue, after making the most liberal allowances for our various wants and requirements, and enjoying a degree of prosperity not surpassed by any of the sister Colonies. It was stated by the late Financial Secretary in this House, last session, that in ten years we had trebled our revenue without increased taxation—that at the end of every year since 1862, there was a large increase over the income of the preceding year; and this statement we find correct when we compare the Customs revenue of 1856 with that of 1866. In 1856 we had a revenue of \$571,588, and in 1866, \$1,228,198; from these figures it will be perceived that in ten years we had almost trebled our revenue without adding to our tariff. Had this state of commercial activity continued increasing for the next decade, and we have every reason to believe that it would, this Province would have presented a degree of prosperity truly gratifying to every Nova Scotian. But, sir, this forced and unfair Union, while it lasts, forbids us to hope for prosperity and happiness. We behold in the future nothing but misery, subjection, and degradation; and because the people seek by constitutional means to free themselves from this vile bondage, they are branded as traitors and rebels—repeatedly has the charge of disloyalty been made against the men who have had the fir-

ness and patriotism to oppose a measure which they clearly saw would be destructive of the liberties of their country. This slander—this calumny, has not been made against the small minority, but against the overwhelming majority of the people of this Province. But, sir, it is untrue that the people who oppose this measure are disloyal—for in no part of the British Dominions can be found loyalty and attachment to the Parent Country of so pure and genuine a character as that for which the people of this Province have ever been distinguished. Our loyalty is of that nature which flows from the heart without effort. It is to preserve that loyalty in all its purity untainted and unswayed, that they now seek to be freed from a degrading vassalage, which daily tends to alienate us from allegiance to the British Crown.

The British Parliament, press, and people, were deceived by the false representations made to them, as appears by the preamble to the Imperial Act; and without giving the measure that careful and deliberate consideration its magnitude demanded, it was hurried through the Legislature, assuming, as we are led to believe, from reading the preamble, that the people of this Province desired to be confederated to Canada. But, sir, never was falsehood more glaring and unqualified than that which the preamble contains. Am I not fully borne out in this assertion when I look around these benches, and out of thirty-eight gentlemen, see thirty-six who have been sent here by men of every shade and hue of political opinion to declare to the British Parliament that the preamble to this Act of Union is false; and that so far from the people desiring to be confederated, they loathe and detest the measure, and now eagerly long to be released from the grievances to which it subjects them. The advocates of this wrong and spoliation perpetrated on their country, (who fortunately are few), endeavor to make the people believe that their efforts for a repeal of the Act will be unsuccessful. That we shall be told by the British Parliament they can do nothing for us—that we must remain in this Union; or, as they term it, accept the situation.

But, sir, I entertain a strong opinion to the contrary; let us address the British Parliament in language conveying the sentiments embodied in the resolutions submitted—"Deceived by fraud and misrepresentation, and from a reckless disregard of our repeated and emphatic protests, you have done us, the most loyal dependency of the British Crown, a great and serious injury. We have, by the result of the recent elections, convinced you of the great injustice done us, against which we warned you by our press, our delegates, and our petitions, we now most respectfully but firmly demand redress at your hands. We do not approach you in the attitude of crouching slaves, begging some trifling instalment of liberty, but as British Free-men, citizens of a hitherto free and happy country, acknowledging no authority but the Crown and Government of England. We desire you to relieve us from the baneful operations of the recent Act of Union, and restore us to the full enjoyment of our former constitutional rights and privileges, as a free sove-

reign and independent people, saving our allegiance to the British Crown."

Yes, Mr. Speaker, I am convinced that when we thus address them in language at once firm and differential, and when the merits of our case are clearly placed before the British Government, Legislature, and people, we shall not fail to secure that measure of redress which it is the traditional policy of Britain to concede when a proper case is made out.

#### MR. BLANCHARD'S SPEECH.

MR. BLANCHARD said:—Labouring as I do under physical pressure of no ordinary character, I cannot be expected to make any very lengthy remarks, but I feel compelled to ask your attention for a short time, whilst I endeavour to lay before this House and country the facts and circumstances connected with this question, and defend as far as he in my power the resolutions which I understand was laid yesterday on the table by my hon. friend (Mr. Pineo). Before proceeding, however, to this question, I owe it to the position which I occupy in this House, to make some explanations connected with some remarks that were made here a few days ago. It will be remembered that some discussion took place between the Attorney General and myself respecting the formation of the present government. I stated that I would apply to His Excellency the Lieutenant Governor for leave to declare to this House and country the circumstances under which the present government were formed, and who it was had advised sending for Mr. McHaffey. I did this in consequence of a statement made by the hon. member for Hants and the hon. Attorney General, that it was to be presumed, and that this country was bound to presume, that, in the absence of a denial from myself, I advised the step in question. Although I regret very much that I am not at this moment at liberty to declare under what circumstances and by what advice the hon. Mr. McHaffey was sent for, yet I feel free to read the following correspondence between His Excellency and myself:

A few days ago I addressed the following letter to His Excellency on the subject:—

HALIFAX, Feb. 6, 1868.

To His Excellency Major General Doyle, Lieut. Governor of Nova Scotia, &c., &c.

The Attorney General and one of the members for Hants have asserted in their places in Parliament that it was probable that Mr. McHaffey had been sent for to form the present Government by my advice,—

Knowing that there is no foundation for the statement, I yet feel that I am restrained by my oath of office from disclosing the real facts of the case;—

I beg leave therefore most respectfully to request that your Excellency would so far release me from this obligation as to enable me publicly to state such circumstances as came to my knowledge on the subject referred to while I held the office of Attorney General and leader of the late Government.

I have the honor to be,

Your Excellency's most obt. servt.,

HIRAM BLANCHARD.



To the foregoing letter I received the following reply:—

GOVERNMENT HOUSE,  
Halifax, 7th February, 1868.

SIR,—

I am directed by His Excellency the Lieutenant Governor to acknowledge the receipt of your letter of the 6th instant, and to state to you in reply that His Excellency regrets that he does not feel at liberty to comply with the request you therein made to him; as he considers that by so doing he should establish an inconvenient and improper precedent.

I have the honor to be,

Sir,

Your obedient servant,

HARRY MOODY.

Hiram Blanchard, Esq., M. P. P.

Now I shall say nothing on the subject of the precedent referred to, although I believe it has been done before, and very recently in Canada; but His Excellency, in declaring that I was not at liberty to make any disclosures as to what occurred, shows that the Attorney General was entirely wrong in the statements he made on the occasion referred to. To have declared, as the Attorney General said I was at liberty to declare, the circumstances and facts of the advice which I had given to His Excellency—supposing I gave any at all—would not have been proper for me, for His Excellency regrets that he is obliged to refuse me the required permission.

Now, before I come to the subject of the resolutions, let me ask the attention of the House for a few moments to one or two statements that have been made by the hon. member for Richmond. I must say, in all justice to that hon. member, that he has acquitted himself as I expected he would—with credit and respectability. He has not indulged in any personal allusion or hard hits at myself. He has brought forward his arguments, and with his manner and temper I am entirely satisfied. He spoke of the county and city of Halifax in connection with the result of the recent elections. He said that the city of Halifax, notwithstanding it was expected to become the Liverpool of the New Dominion, had returned five members against Union. Now, as I am instructed, the city of Halifax proper gave a considerable vote in favor of Union. If that be so, then let it never be said again that there is not a majority of the respectability, weight and influence of the city of Halifax in favor of Confederation. If the centre of influence, intelligence and wealth has given such a response, then let not the assertion be repeated that all the merchants and bankers of Halifax are opposed to the Union of British America.

Before going any further I will ask the government to allow me to add a clause to the amendment which has been laid on the table. Now, it is not too much to say, and I would be very sorry to state, that the Attorney General does not possess a large amount of legal ability, and considerable knowledge of the constitutional law of this country. I am sorry that I am obliged to attach to him the paternity of a string of resolutions such

as I do not hesitate to say were never before put upon the table of any Colonial Legislature. They contain statements of constitutional law utterly at variance with the history of Great Britain during the last two hundred years, and if, before I am done, I do not convict him and the government which he leads in this House by the authority of statesmen as much superior to him as it is possible to be, of having brought forward a set of resolutions opposed *to* *to* *to* the whole constitutional law of Great Britain, then I say that I shall egregiously fail in what I have undertaken. These resolutions, I have said, do not contain what, in my opinion, is the constitutional law of this country. Speaking, as I do, for the Confederation party in this Province, I would be very sorry to see one word or line of these resolutions altered. I hope they will be laid at the foot of the Throne just as they are now. I hope, when they are so laid, they will be accompanied by the resolutions which I have been obliged to prepare hastily in the condition in which I have been for some days past, as the expression of the opinion of the minority of this House, small though it may be.

In the first resolution we are told "that the members of the Legislative Assembly of this Province, elected in 1863, simply to legislate under the Colonial Constitution, had no authority to make, or consent to, any material change of such constitution, without having first submitted the same to the people at the polls." I undertake to say that this is the first time outside of Nova Scotia in the history of any legislative or deliberative assembly under the British constitution, that such a doctrine of constitutional law has ever been laid down. That question was discussed at the last session of this legislature. Authority, able authority, was brought down by Mr. Archibald, controverting the statement in the most conclusive manner, and not a single gentleman belonging to the late opposition was able to support the position he took by a single precedent, or even by a dictum of any man who is looked upon as a great authority. Even at the risk of repeating what I said last winter, I will remark on what is the meaning of an appeal to the people. In the adjoining Republic there is a machinery by which an appeal to the people can be carried out. If a question is submitted to any legislature, whether State or General, and it be thought necessary to obtain the assent of the people—and remember the country alongside us is an unmixt democracy—what is the course pursued? They send to the people to hold a convention on the subject before the legislature meets, and they are expected to vote aye or no. The convention meets—it is not called upon to express an opinion upon any other subject except the one submitted to it. Suppose the convention decide that this change in the constitution should be carried out, what then. Does the legislature take that as the opinion of the people? No, they send it again to the polls, and have the popular voice upon it. Every man is given a ballot ticket, on which he records his vote. Finally this vote is counted, and the popular feeling is thereby ascertained. Have we any such machinery as that? Did

anybody ever hear of such an arrangement under the British Constitution? When the hon. Attorney General can convince the Government and Parliament of Great Britain that the Republic of the United States is the only model upon which we must form our constitution, then he can expect them to pay any attention to these extraordinary resolutions.

But we are British subjects, and such a thing as an appeal to the people at the polls, under such circumstances, was never heard of since the time of the Magna Charta. I ask the Attorney General to rise, in his place, and show us a precedent in British history, if he can. I ask the hon. member for Annapolis to rub up his knowledge of English history, and then come here and give us an example where any great statesman of Great Britain, since the time of Magna Charta thought it wise to dissolve the Legislature whilst the government could carry on the business of the country. Sir Robert Peel will be acknowledged as having been one of the greatest statesmen of his times, and what has he told us? He had given the Reform Bill his most unremitting opposition, but after it was carried, what did he say? Did he say, "The people are against, and we must repeal it." Speaking after his election, to the electors of Tamworth—in the presence of the whole nation—he said that the measure which he had fought against, inch by inch, having been carried, the man who would venture to appeal to the people in reference to a question which had been settled by Parliament, was an enemy to his country. He accepted the situation—he acknowledged that the only constitutional mode of proceeding was through the Parliament of the country.

Sir Robert Peel, on the subject of Catholic Emancipation, has said, and I am now reading from his speeches:

"He had no notion of the prejudices of the people overruling the deliberations of the Legislature. The Parliament was better able to form a just opinion upon questions of this nature than the uninformed, and whatever might be the opposition which Parliament might experience, it was still bound to set an example of justice and wisdom; that being done, he was sure the people would soon coincide in their decision."

Further on he says:

"With respect to the general question, he had on so many occasions stated his deliberate opinion upon it, that he felt it scarcely necessary to do more than refer to what he had repeatedly stated, and to declare his firm adherence thereto. He considered it an important question in point of policy (dismissing the questions of justice and good faith) as it affected the general constitution of the country, and with reference to its bearing on the prosperity of the Empire. With respect to the first, he must say he thought the removal of all civil disabilities, and the laying down of the principle that there should be no distinction in respect to religious opinions, and no barrier between a Professor of the Roman Catholic faith and that of the Protestant Established Church, was a material change in the constitution of the country."

If the constitution were to be considered the

King, Lords and Commons, it would be subverting that constitution to admit Catholics to the privileges they sought; it would be an important change in the state of the constitution as established at the Revolution."

I give this to show that Sir Robert Peel looked upon Catholic Emancipation as a most important and material change in the constitution of Great Britain. He goes on to say:

"I know that it has been said that in 1826 there had not been sufficient warning. No, forsooth, we ought to have aroused the country by the cry of 'No Popery.' Never, sir, never, under any circumstances. *The Parliament, and the Parliament alone, will ever acknowledge to be the fit judge of this important question.* The people at large may express their feelings and opinions, and they should always be received with deference; but, sir, we are not bound to conform to those opinions, or to refer to their decision questions affecting the general interests of the country, or which it is the peculiar province of the Parliament to decide."

Catholic Emancipation was carried to the glory of the British people, and has ever since remained one of the principles of the British constitution. What did Sir Robert Peel say when it was passed? The Legislature has fixed it upon this country, it has become part of the constitution under which I and every gentleman who is seated here lives, and we are bound to submit. Are we then to be told by the Attorney General and Government of Nova Scotia that our Parliament has no power to affect any change in the constitution. Further on Sir Robert Peel says:—

"As to the appeal to the country, let him ask hon. members to consider whether it would be wise to set such a precedent as to declare their own incompetency to legislate upon any question which the Crown may think proper to submit to their consideration? Would they so far stultify themselves as to begin to consider what questions they were competent to debate? Supposing they were to make such an appeal to the country, how many questions do they think would rise thereafter, in which it would be said to them:—

"There is a precedent set you by the Parliament of 1829 which dissolved itself, because it felt itself incompetent to act, and you follow its example?" I deny, sir, the necessity for making such a precedent. No; we will not stultify ourselves so much as to say that we are not supreme as to every measure of legislation which may come before us."

The gentlemen opposite should go and sit at the feet of British statesmen and learn the true principles of English constitutional law, before they come here and make the declaration which they do. I do not mean to say that the Attorney General is not as capable as myself of explaining constitutional law, but I ask them in all seriousness before they ask this House to forget that they are British subjects—to swallow what I feel confident they will be only too glad to disgorge at some future time—before they make themselves the laughing stock of British America, I ask them to pause. I now come to the speech of the same great statesman on another important question. I will ask the House to recall

the history of the Corn Laws of Great Britain. I shall not go into a lengthy history of this question, but everybody knows that Sir Robert Peel had opposed the abolition of the Corn Laws for a very considerable period. He did so while he was leader and premier of the British Ministry; and after a long discussion on the subject he thought it necessary to change his opinion. Who does not know that when the measure was passed he was attacked in a style which is not often heard in any legislative body. He was exposed to a merciless storm of vituperation, and when nothing seemed to avail his enemies called upon him to dissolve the House and appeal to the people. Then Sir Robert Peel laid down the doctrine that whilst he could carry on the affairs of the country nobody had a right to dissolve the House. He said:

But my honorable friend says he did not object to it as impeding the formation of a protection government, but as preventing a dissolution; and my honorable friend and others have blamed me for not advising a dissolution of Parliament. In my opinion, it would have been utterly inconsistent with the duty of a Minister to advise a dissolution of Parliament under the particular circumstances in which this question of the Corn Law was placed. Why should it be so utterly impossible for this Parliament to deal with the present proposition? After the election in 1841, this Parliament passed the existing Corn Law, which diminished protection; this Parliament passed the tariff destroying altogether the system of prohibition with respect to food; this Parliament passed the Canada Corn Bill; why should it exceed the functions of this Parliament to entertain the present proposition? But upon much higher ground I would not consent to a dissolution. That indeed, I think, would have been a "dangerous precedent" for a Minister to admit that the existing Legislature was incompetent to the entertainment of any question; that is a precedent which I would not establish. Whatever may have been the circumstances that may have taken place at an election, I never would sanction the view that any House of Commons is incompetent to entertain a measure that is necessary for the well being of the community. If you were to admit that doctrine, you would shake the foundations on which many of the best laws are placed. Why, that doctrine was propounded at the time of the union between England and Ireland, as it had been previously at the time of the union between England and Scotland. It was maintained in Ireland very vehemently, but it was not maintained in this country by Mr. Fox. It was slightly adverted to by Mr. Sheridan at the time when the message with regard to the union was delivered. Parliament had been elected without the slightest reason to believe it would resolve that its functions were to be fused and mixed with those of another Legislature, namely, the Irish Parliament; and Mr. Sheridan slightly hinted it as an objection to the competency of Parliament. Mr. Pitt met that objection at the outset in the following manner. Mr. Pitt said:—"The first objection is what I heard alluded to by the honorable gentleman opposite to me, when His Majesty's message was brought down, namely, that the Parliament of Ireland is incompetent to entertain and discuss the question, or, rather, to act upon the measure proposed without having previously obtained the consent of the people of Ireland, their constituents. This point, sir, is of so much importance that I think I ought not to suffer the opportunity to pass without illustrating more fully what I mean. If this principle of the incompetency of Parliament to the decision of the measure be admitted, or if it be contended that Parliament has no legitimate authority to discuss and decide upon it, you will be driven to the necessity of recognising a principle the most dangerous that ever was adopted in any civilized state, I mean the principle that Parliament cannot adopt any measure, new in its nature and of great importance, without appealing to the constituent and delegating authority for direction. If that doctrine be true, look to what an extent it will

carry you. If such an argument could be set up and maintained, you acted without any legitimate authority when you erected the representation of the Principality of Wales or of either of the counties palatine of England. Every law that Parliament ever made, without that appeal, either as to its own frame and constitution, as to the qualification of the electors or the elected, as to the great and fundamental point of the succession to the Crown, was a breach of treaty and an act of usurpation." Then, Mr. Pitt asked, if they turned to Ireland herself, what would they say to the Protestant Parliament that destroyed the exclusive Protestant franchise, and admitted the Roman Catholics to vote without any fresh appeal? Mr. Pitt went on—

"What must be said by those who have at any time been friends to any plan of parliamentary reform, and particularly such as have been most recently brought forward, either in Great Britain or Ireland? Whatever may have been thought of the propriety of the measure, I never heard any doubt of the competency of Parliament to consider and discuss it. Yet I defy any man to maintain the principle of those plans without contending that, as a member of Parliament, he possesses a right to concur in disfranchising those who sent him to Parliament, and to select others, by whom he was not elected, in their stead. I am sure that no sufficient distinction, in point of principle, can be successfully maintained for a single moment; nor should I deem it necessary to dwell on this point in the manner that I do, were I not convinced that it is connected in part with all those false and dangerous notions on the subject of Government which have lately become too prevalent in the world." Mr. Pitt contended, therefore, that Parliament had a right to alter the succession to the Throne, to incorporate with itself another legislature to disfranchise its constituents, or associate others with them. Why, is it possible for a Minister now to advise the Crown to dissolve Parliament on the ground that it is incompetent to entertain the question what this country shall do with the Corn Law? There could not be a more dangerous example, a more purely democratic precedent, if I may so say, than that this Parliament should be dissolved, on ground of its incompetency to decide any question of this nature. I am open to the charge, therefore, if it be one, that I did advise Her Majesty to permit this measure to be brought forward in the present Parliament.

I ask gentlemen now to pause and consider the doctrines laid down by these great constitutional authorities, which are to be found in the Legislative Library—that Parliament is paramount in these matters, and has the power of carrying them out. Let us not hear gentlemen endeavoring to introduce the American democratic system into this British dependency, whose glory it should be that its constitution is based on that of free England. I have shown you that at a time when the principles of the American and French revolutions were instilled into men's minds, Sir Robert Peel came forward and said: never shall we go contrary to the principles of our constitution, and adopt the democratic idea; we believe now, as we have always believed, that Parliament itself is supreme.

Under those circumstances I appeal to this House, and ask them whether they will reconsider the position in which they stand. It is possible that after proper consideration they may see the absurdity and folly of placing on record such resolutions as those that have been introduced. Now I ask the hon. Attorney General whether the House of Commons was elected for the consideration of the question of Catholic emancipation. We all know that it was not. Sir Robert Peel admitted as much, but he and his friends in a statesmanlike manner opposed any attempt

to tell the people of England that the Parliament should go back and ask their advice in reference to a great constitutional change. The Corn Laws of Great Britain prevented any corn being imported into the kingdom except it was subject to a large duty. The duty was intended to protect the agricultural interest of Great Britain, which has always been so very powerful in that country, that it would not have been surprising if the Corn Laws had remained many years longer a motive of continual agitation.

Sir Robert Peel, acknowledging the force of the opinions in favour of the abolition of these corn laws, came forward and moved in the matter. Who has ever been found in the British House of Commons to get up and declare that Sir Robert Peel did not strictly adhere to the principles of the British constitution in the course he pursued. He carried triumphantly through the House of Commons this important measure, which has ever since remained untouched. If Sir Robert Peel could do that, was not this Legislature in a position to carry the measure submitted to it. Sir Robert Peel has emphatically told us that Catholic Emancipation was an alteration in the constitution. Before the passage of that measure, no man could occupy any position in the Government of Great Britain unless he was a Protestant and took the oath of supremacy; that was as much a part of the British constitution as the House of Lords itself. To the honor of Nova Scotia be it said, that some time before Great Britain broke down that principle, this Parliament came forward and allowed Catholics to sit in the Legislature.

What more, sir? What did the British Government do in 1829? The Island of Cape Breton possessed a separate constitution; it had a Governor and a Government of its own independent of the Province of Nova Scotia. The House of Commons came in and by a single Act, containing perhaps not a dozen lines amalgamated the island with Nova Scotia. The island was given only two members in a Legislature of 40 men. Who, then, ever heard of the people of Cape Breton being granted an appeal? Who ever heard that this law was not binding upon the people of the Island. They resorted to every constitutional means to repeal it. It may be added that Cape Breton had no Parliament of its own, and without being consulted in any measure it was annexed to the adjoining Province. Representing as I do one of the most flourishing counties of the Island, I undertake to say that you will not find a man from one end of Cape Breton to the other, who would now ask for a repeal of the Union. There were some Repealers for a few years, but now they are as scarce as I think Repealers of the larger Union will be in this Province twenty years hence.

I feel that I am speaking here not simply in the name of Cumberland and Inverness, but in that of the great Confederate party of Nova Scotia, and I regret it that they are so inadequately represented here. What was the original constitution of this country? There were forty gentlemen sitting here then. One of the fundamental principles was a re-

presentation of forty men, and those selected for the most part from particular localities. A few townships, such as Falmouth, absorbed a large portion of the representation in the Assembly. The Legislature stepped in and handed a portion of that representation to Cape Breton. Was it then urged that the township of Falmouth, and other places affected, should be consulted—that there should be an appeal to the people before the representation was interfered with? The constitution of the country was then invaded in a high-handed manner, if we are to believe the doctrines of the hon. gentleman, by the Legislature of that day. But what more? At the close of the Parliament in 1858, a bill was brought in altering the representation of this country. That measure was passed through this Legislature, although it was a material change in the constitution, without a word being said about an appeal to the people. This measure was strongly opposed, but did its opponents say that the measure was unconstitutional when they came back here? No one was ever heard to declare that law was unconstitutional, and attempt to repeal it. We sat here from 1859 to 1863, and at the close of our legislative career what did we do? I had then the honour of following the leadership of Mr. Howe, and assisting him in forwarding measures which I believed were for the best interests of this country. A bill was passed in 1863 again, to touch the representation of the country—to cut Inverness into two parts, and make other changes; but who then heard the argument that it was unconstitutional because the people had not passed on it at the polls? I may be told by-and-bye that the measure did not touch the constitution of the country. Did not the opposition of that day feel that it was a deliberate attempt to alter our constitution? They succeeded in defeating it, it will be remembered, in the other branch of the Legislature. What more? Did we go further than that? We passed a measure—one which I hope will continue to be the law of this country for a long time to come. We came in elected on universal suffrage; I came in myself by a vote of 5 or 6000 people. By one swoop we swept out of existence what was then considered to be one-third, but which is now known to be one-fourth of the constituency that sent us here. No member of the Legislature has ever had the hardihood to come in and ask that it be repealed. Did any man get up and say that the Legislature was exceeding its power? Will any one say that that Act was not binding upon the people of this country. It is true we were prevented from having that Act carried into effect at that general election, but that does not affect my present argument.

I have given you what I consider to be a very high authority on the power of Parliament in connection with the passage of the Reform Bill and the Catholic Emancipation Act in Great Britain. What more? Who does not know that Great Britain, for many years, has been divided into two parties—that the Whig and Tory, or Liberal and Conservative parties, have been the two great contending parties? From time to time one of these parties has managed public affairs.

It is within the memory of everybody that very recently a Reform Bill was brought into the English Parliament. That was certainly "a material change" in the constitution. How many tens of thousands did the measure add to the electors of Great Britain? That measure was brought into the Commons, but who, reading the records of that body, will find the argument used that an appeal should be made to the people? That bill was defeated by whom? By the Conservative party, Mr. Disraeli at its head. They opposed it on the ground that it was too democratic and republican a measure. The Ministry changed hands, and what then? Did the Ministry who came into power then dissolve the Parliament? No sir. They said they would go on with the public affairs, and they did so. What more? A few months ago we saw introduced into the House of Commons a Reform Bill, the democratic character of which was infinitely beyond that previously defeated. Not a single word about a dissolution was said. I ask the House and country, then, if I have not submitted authorities which fairly answer the resolutions which have been submitted? The Government may have made up their mind to pass these resolutions, but I trust there are gentlemen here prepared to deal with the question on its merits, and not willing to be led away by claptrap.

I was unfortunately unable to attend yesterday, and therefore I hope if I misquote anything said by the Attorney General that you will allow me to be corrected through you, sir. But having obtained notes of certain remarks that were made from the most reliable information, I shall endeavor to deal with the question as well as I can. I understand that the Attorney General yesterday told the House that his remarks were made after the fullest deliberation. Under these circumstances we must expect that the hon. gentleman would not make any statement that he was not able to defend. One of his statements was, I am informed—one which went through the whole substratum of his speech—that this Colony is in a different position from any other in regard to its constitution.

Hon. ATTORNEY GENERAL—I did not say that.

Hon. SPEAKER—It would be better if the hon. gentleman would confine himself to what he has heard himself.

Hon. ATTORNEY GENERAL—I may mention to the hon. gentleman that my speech is now in press.

Mr. BLANCHARD—I cannot, however, resist the temptation of adding one or two points in the hon. gentleman's observations. I think that I know something about the chartered constitutions of these countries—that I am aware of the differences between a conquered country and one settled originally by Englishmen. When Englishmen settled in any country they carried with them the laws and constitution of the parent State—they continued to possess the rights and privileges of Englishmen. The Attorney General said that this Province was given to Queen Anne and her heirs forever. What does that mean? Was it given for her own use? No;

all her rights were subject to the authority of the British Parliament and constitution. This Province belongs to Her Majesty, but no more than any county in England. The Queen alone, it is true, can give any authority over the lands of the country. By her royal authority and letters patent she confers upon any person whom she may choose any portion of the territory, subject to certain conditions. I unhesitatingly affirm, however, that this country is no more the property of Queen Anne than any part of England, Ireland or Scotland.

But I admit this, and I would be sorry to deny it, that if the Sovereign choose to grant a particular authority to any part of the dominions to establish Courts of Justice or Courts of Parliament, that authority is irrevocable. We have been told that with regard to a certain Island it was said that the King having given to a noteman authority to govern by an Assembly, and the authority being altered, the Lords of the Privy Council decided the alteration to be void. Admitting for a moment, for I have been unable to find the case, that there has been a decision that some act of the King of England, in reference to the constitution of a colony was invalid, I ask the Attorney General to find me a case in which the Lords of the Privy Council ever dared to say that an Act of Parliament was void. I challenge any lawyer in the country to find a case in British records from Magna Charter to the present hour, in which any Judge or any body of Judges ever dared to say that an Act of the British Parliament was void. No such case can be found, for such a decision would strike at the root of the authority under which Parliament exists. When we go to the neighboring republic we see that in view of the democratic leanings, and a desire to avoid the extreme measures to which the legislature might be led, there is given to the Judges of the Supreme Court, when an Act is passed in direct contravention of the constitution, authority to say that that Act is void. But not a line can be quoted from any British Judge or Court to show that an Act of Parliament is not binding on all the people in the country. I undertake, therefore, to say that the Attorney General put upon his resolutions a statement which all the Judges of Great Britain combined would not venture to make, for I repeat that no authority in the realm ever declared that any Act, no matter how tyrannical and insulting to the feelings of the country was void. In every such case the people must submit until, by constitutional means, they obtain the repeal of the enactment. It was said that Nova Scotia was ceded to Queen Anne and her heirs forever. I recollect when I was a boy hearing that some gentlemen, calling themselves Baronets of Nova Scotia, had come to the British Parliament and said that Nova Scotia belonged to them because some Queen or King had given them a grant of this Province. They were only laughed at for their pains, but there was about as much sense in those gentlemen saying that the country belonged to them, as to say that it belonged to the Queen or King in her or his personal right. This country is not the private property of the Sovereign. The Atty.

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General told us it was Queen Anne's and her heirs' forever,—I would like to see him with all his acumen and industry, work out the family tree which would make Nova Scotia, even in that case, the property of Queen Victoria.

(The usual hour for adjournment having come Mr. Blanchard intimated that he would resume his address in the morning.)

The debate was adjourned.

#### MISCELLANEOUS.

Hon. PROV. SECR. announced the receipt of a draft for \$520 from the Council of the County of Ontario in aid of the fund for the relief of distressed fishermen.

Hon. PROV. SECR. laid on the table Minutes of Council in reference to the appointment of Legislative Councillors.

Also a statement of the Trade and Commerce for the nine months ending 30th June.

Mr. KIDSTON asked the Government to lay on the table a statement shewing the amount provided to pay the first instalment and interest on \$4000 borrowed on the credit of the County of Victoria, also shewing how the road grant for 1837 was expended for that County, how it was drawn, and what number of Commissions was issued.

Mr. CAMPBELL presented a petition praying that the privileges extended to certain ports by chap. 798 Revised Statutes, be extended to Port Hood.

Mr. PINCO presented a petition from D. McPhee, a ferryman, asking remuneration for boats which were lost in a heavy storm.

Mr. NORTHRUP introduced a bill to enable the Commissioners of Schools, of Halifax, to erect a school house on land denied to them by the City. He also presented a petition against the bill. Both were referred to the Committee on Education. He also presented a petition from James Tucker and others, for a special grant for the road from TURNER'S Bay to Sambro.

Mr. MORRISON presented a petition from Charles Turner, asking to be remunerated for twine and rope lost in its transport by the Railway Department. The petition was referred to the Committee on Manufactures.

Mr. COCHRAN introduced a bill to amend the Act incorporating the Roman Catholic Episcopal Corporation of Halifax. Also a bill relative to the storing of oil and Petroleum in the city of Halifax.

Mr. CHAMBERS presented a petition from the overseers of the poor of Truro, asking a further allowance for the support of transient poor.

Mr. McDONALD asked the Government to lay on the table a statement of the number of patients admitted to the Hospital for the Insane since its establishment, and of other statistics of the Institution.

Mr. PINCO asked the Government to lay on the table all papers relating to a complaint made by — Fraser against Mr. Bigelow, a Justice of the Peace for the County of Cumberland.

Mr. PURDY said that as the 28th June last was a memorable day in relation to our public affairs, he would ask the Government to lay on the table an abstract of the Minutes of Council for that day, shewing the other

appointments then made, and, in addition, a statement shewing all the appointments made by the Hill-Blanchard Government since 1st July. He said he would also request the Government to state their policy in reference to these appointments.

Mr. COPELAND presented a petition from a mill-owner of Pictou asking for the opening of a road.

Hon. Mr. FERGUSON presented a petition from Messrs. McLellan and Currie asking an increase of pay. Also a petition from inhabitants of Low Point asking for a road to Lingan.

Hon. Mr. TROOP presented a petition from Andrew Henderson for the opening of a road. Also a petition from J. G. Balcan et al trustees of a school section, for aid in erecting a school house instead of one burnt down.

Mr. DESBRISAY presented a petition from the inhabitants of Mill Cove asking for a road.

The House adjourned.

WEDNESDAY, Feb. 12.

The House met at 11 o'clock.

Hon. ATTORNEY GENERAL introduced a number of acts to incorporate the Eureka Gold Mining Co., the Ontario Gold Mining Co., the Kingston and Sherbrooke Gold Mining Co., the Westworth and Sherbrooke Gold Mining Co., the Alpha Gold Mining Co. Also an act to enable the frewards of the town of Pictou to borrow certain money.

Mr. CAMPBELL presented a petition from Margaree in reference to money.

Mr. HOOVER, two petitions from Richmond. Mr. WHITE, a petition from D. McDonald and James McNeil, of Little Glace Bay, with reference to a coal claim granted to others; they ask compensation. The petition was referred to the Committee on Mines and Minerals.

Hon. J. FERGUSON introduced a bill to incorporate the Glace Bay and Cape Breton Railway Company. A bill to incorporate the Gardiner Coal Mining Company in C. B. Also a petition from the trustees of Schools in Sydney, praying that no material change be made in the School Law.

Hon. ATTORNEY GENERAL introduced a bill to incorporate the Montreal Coal Mining Association; a bill to incorporate the Hayden and Derby Mining Co.; a bill to incorporate the Mount Unisco Mining Co.

#### MR. BLANCHARD'S SPEECH.

(CONCLUDED.)

The adjourned debate was then resumed.

Mr. BLANCHARD rose and said:—Last evening, by the kindness of the Government and the House, I was permitted the privilege of concluding my speech to-day, on the very important question under consideration. Having now before me the full report of the hon. Attorney General's remarks, I shall proceed to notice it as fully as possible. But, in the first place, I would ask leave to move the resolutions in amendment to those introduced by the government, which my hon. friend (Mr. Pincot) laid on the table on Monday, for the information of the House. The following are the resolutions:—

To strike out all the words after the word "that," in the first line and substitute the following:—

1st.—The Law making power ever since the Province of Nova Scotia possessed a Legislature,—subject: always to the Royal prerogative and constitutional enactments of the Imperial Parliament, whether exercised in reference to the existing constitution or to any other subject of a Provincial character—is, and ever has been vested, and of right ought to vest in the Lieutenant Governor, the Legislative Council and the House of Assembly for the time being.

2nd.—The right of the Imperial Parliament to provide, to change or to alter the Constitution of a British Province or Colony is undoubted, has been repeatedly exercised and cannot and ought not to be called in question.

3rd.—The Resolution of the 10th of April, 1866, which passed both branches of the Nova Scotia Legislature, did not necessarily contemplate a Confederation of all the British North American Provinces, nor were the delegates to be appointed thereunder in any way limited or restricted as to how many or which of the British North American Provinces should be included within such Confederation. Nor whether Prince Edward's Island and Newfoundland should or should not be of the number. Nor did the terms of that Resolution require that each of the Colonies should be represented by an equal number of Delegates.

4th.—That, before the Committee of Public Accounts have reported upon the financial condition of the Province, and in the absence of any reliable data to show the effect of the working of the new constitution, the British North America Act, 1867, and Her Majesty's Proclamation thereunder, have not been in operation sufficiently long to warrant any authoritative expression of opinion on the part of this Legislature, as to the effect to be produced upon Canada, or any Province of Canada, much less to justify an assertion that it will reduce the Province of Nova Scotia to the degraded condition of a dependency of Canada—Nova Scotia being by the Act in question a constituent part of Canada, with a fair representation in both branches of the Canadian Legislature.

5th.—That the Railway debt of Nova Scotia in the year 1863 amounted to \$4,000,000 upon which interest was chargeable and paid at the rate of six per centum per annum, amounting to \$240,000. That the policy of the Government and Legislature has been since then largely to increase the public debt and expend the amount borrowed in the construction of Railways and other public works. That the funded debt of the Province is now \$3,000,000 and upwards: the interest upon which amounts now to \$180,000 and upwards; which, if the British North America Act, 1867, had never passed, would have necessitate a very considerable rise in the tariff of Nova Scotia, even if there had been no falling off in imports, or a greatly diminished vote for the public services.

6th.—That fundamental and material changes of the Constitutions of British Provinces both in the Eastern and Western Hemispheres have from time to time, as occasion required, been made, as well by the Imperial Parliament, as by Despatches emanating from Downing Street—and the Constitution of Nova Scotia guaranteeing Responsible Government as it has existed, and at present exists, and in many other of its most important features rests upon the authority of Despatches of successive Secretaries of State for the Colonies.

7. That the Legislature of Nova Scotia, in the Session of 1867, recognized the British North America Act of 1867, and Chapter 1, after providing for a reconstruction of departmental offices and the salary of incumbents in Section 9, specially refers to said Act as about to "be brought into full operation by Her Majesty's Proclamation" chap 2, passed during the same Session, reducing the number of representatives in any future House of Assembly, adapted the Local Constitution to the condition of things. Chapter 8 divides Senators and Members of the House of Commons of Canada to hold seats in the Legislature of Nova Scotia and Chapter 17 provides where the election of members to serve in the House of Commons of Canada and the Legislative Assembly, is to be held.

8. That the expression of opinion on the part of the Nova Scotia Legislature of the date of the 10th April, 1866, "that it was desirable that a Confederation of the British North American Provinces should take

place" was as much a constitutional declaration of the then existing Legislature, and entitled to as much credit as any subsequent contradictory declaration of the present or any future Legislature can be.

9. That, however desirable it may seem to be, it has never been held essential to the validity or constitutionality of an Act of Parliament, either in a British Province or in England, that it should first be submitted to and obtain the assent of the people at the polls.

10. That the people of Nova Scotia have ever been conspicuous for their loyalty and attachment to the British Crown and their obedience to the laws of the Empire. They have ever had the protecting arm of the mightiest nation in the world thrown around them. Their seacoasts have been jealously guarded by a British navy, and their principal city garrisoned, fortified and protected by British troops, all at Imperial expense. They have no fears, therefore, that Great Britain will invade their rights or inflict injustice upon them, or suffer it to be done by others.

11. In view of the defenceless condition of the Province of Nova Scotia unsupported by Imperial aid in case of hostile attack from without, this Legislature gratefully appreciates the interest displayed on the part of Her Majesty's Government, and cheerfully recognizes the right and the "just authority" referred to in the despatch of the Right Hon. Mr. Carvell, Principal Secretary of State for the Colonies, under date of June 24, 1865, in which, among other things, it is declared—"Looking to the determination which this country has ever exhibited to regard the defence of the Colonies as a matter of Imperial concern, the Colonies must recognize a right and even an acknowledged obligation incumbent upon the Home Government to urge with earnestness and just authority the measures which they consider most expedient on the part of the Colonies with a view to their own defence. Nor can it be doubtful that the Provinces of British North America are inseparable, when separate and divided from each other, of making those just and efficient preparations for national defence which would be easily undertaken by a Province uniting in itself all the population and all the resources of the whole."

12. That if it be the opinion of Her Majesty's Government and those whose previous military training qualifies them to speak with authority upon the subject, that a Confederation of the British North American Provinces was prudent and desirable and requisite for their defence against any aggressive force from without that might be aimed at them or any one of them, then it is the duty of every loyal subject to respect that expression of opinion, to co-operate with Her Majesty's Government, to make all reasonable sacrifices in order to preserve the existing connection with the fatherland, and cheerfully to aid in moulding the institutions of the country in the manner best adapted to secure so desirable an object.

13. That as regards the course adopted by the Government and Legislature of Nova Scotia to bring about a Union of the British North American Provinces, it was under the instructions and as nearly as possible in accordance with the recommendation of Her Majesty's Government, as set forth in a despatch dated the 3rd day of December, 1864, written after the sitting of the Quebec Conference, and addressed to Lord Monck as Governor-General, etc., etc., in which, among other things, occurs the following:—

"It appears to me (Her Majesty's Government) therefore that you should now take immediate measures to concert with the Lieutenant Governors of the several Provinces for submitting to the respective Legislatures this project of the Conference. And if, as I hope, you are able to report that these Legislatures sanction and adopt the scheme, Her Majesty's Government will render you all the assistance in their power for carrying it into effect. It will probably be found to be the most convenient course that, in concert with the Lieutenant Governors, you should select a deputation of the persons best qualified to proceed to this country, that they may be present during the preparation of the Bill and to give to Her Majesty's Government the benefit of their counsel upon any question which may arise during the passage of the measure through the two Houses of Parliament."

And this recommendation was but the embodiment and reiteration of the sentiments of Her Majesty's Government, as delivered by the late Duke of Newcastle expressed in relation to the same subject, and

to be found in a despatch to the Earl of Mulgrave, dated the 6th day of July, 1862. After referring to some such conference or consultation as that held at Quebec, that great statesman and friend of the colonies remarked: "But whatever the result of such consultation might be, the most satisfactory mode of testing the opinion of the people of British North America would probably be by means of resolution or address proposed to the Legislature of each Province by its own Government."

I regret that in the discharge of what I consider to be my duty, I have made these resolutions more voluminous than I ever made any before. My excuse is that the party I represent feel it necessary and proper to state their case as fully as possible, and show the country the grounds upon which they oppose the resolutions introduced by the Government. We shall not have the advantage possessed by the Government of having delegates to explain our case fully in England, and therefore find it necessary to make this amendment somewhat longer than they would have been under different circumstances.

The Attorney General stated, I perceive by his speech, that he would probably add one or two other resolutions to his speech. Now, I feel we will be at some disadvantage if we are unable to give these new resolutions that full consideration which they may demand.

(HON. ATTORNEY GENERAL here read the resolutions in question.)

Mr. BLANCHARD continued—I am glad that the Attorney General has given me an opportunity of learning the nature of the new resolutions which he intends adding to those previously introduced. I now pass on to review the lengthy speech of the Hon. Atty. General in opening the debate. I need not say anything as to the introduction of that speech, for there is not a sentence in it with which I cannot agree. I concur most emphatically in the declaration that the happiest and freest people in the world are those who are most obedient to the law. Then he went on to speak of the want of a Court of Impeachment for political offenders. This is the first time in my life that I ever heard of any man living under a British constitution advocating any other Court for the trial of such offenders than the High Court of Parliament itself to which every member is responsible. If I transgress the rules of this House, or do anything contrary to its dignity,—if I offend against the laws in connection with any public duty, here is the tribunal to try me. Upon you, sir, and the gentlemen around, will devolve the duty of punishing me consistently with its power. We have next from the Attorney General a panegyric upon our own constitution as well as upon the framers of the American constitution. The faults of the latter were pointed out to a certain extent, and the beauties of the constitution under which we have lived was beautifully eulogized, and with these sentiments I can find no fault. The Hon. Attorney General declared that the great fault of the American system was that it was a democracy and a confederacy—that it was democratic instead of monarchical—that it was a federal instead of a legislative union. I agree with him on the first point. Democratic institutions are the last to which I would wish to resort, but I differ in toto

from him when he says a confederation is not stable—that a federal democracy cannot succeed. In my judgment there is no tyranny on earth so absolute as that which can be exercised under a pure democracy. Under this system liberty may be crushed, and no remedy or appeal allowed to the citizen. This has been exemplified within the past four years in the United States; the *Habeas Corpus* Act has been arbitrarily suspended; and we have seen 13 or 14 States kept out of Congress, and unable to legislate except in accordance with the wishes of the dominant party.

I am not going into any lengthy argument on this subject, but I will ask the House to consider whether he has not himself shown that a Confederation is calculated to make a country great and powerful. What does he say in the subsequent part of his speech? He says if the United States only settle their internal difficulties they will become one of the greatest, if not the greatest, nation on the face of the earth. He bases that assertion on the enormous progress of that country within the last forty or fifty years. A short time since the whole world looked on with contempt whilst a nation of shopkeepers entered into a civil war; no one believed that the contest would last for any length of time. But the world saw armies such as it never saw before, not even in Napoleon's days. What enabled that country to send into the field its troops by hundreds and thousands, nay by millions? What was it that enabled them to raise the money required to meet their enormous expenditures? The fact is that under a Confederated Democracy they had been growing with a rapidity such as the world had never seen before. I am told by the organ of the Government that I am crammed for this occasion. I will undertake to say that no member of the Government will dare, in this House, to repeat what their organ has tauntingly said. But to continue, the Attorney General has said that it was the difficulties in connection with State Rights that gave rise to the war. I differ from him in a good many respects. In the United States the President appoints his own Cabinet, which holds office as long as he chooses, and though a majority of both Houses entertain opinions different from these gentlemen, yet they may continue in power. Look at the position of the present Congress—engaged in a heated conflict with the President. A great difficulty has always been the irrepressible conflict between the North and South, on the question of slavery. But let me tell the Attorney General that we are not confederated as the United States. There were originally 13 independent States. Is our condition analogous to that of those States? The hon. gentleman complains that we are not as independent as an American State, Maine for instance. Now I have no desire to see this country annexed to the United States, neither do I wish to see it placed in the position of any State of the Union. When we go into the United States, we find the States possessing different Unwritten Laws. Each State again has different regulations with respect to the franchise. Nothing of that kind exists in our system. We

have one *Ugury Law*, one on *Marriage* and *Divorce*, one on the subject of *Crime*, and so on. "If we have to join the U. S.," says the hon. gentleman, "Nova Scotia would possess all the freedom that every State of the Union possesses. We would have the choice of our Governors, of our Senators, of our Legislators, and we would have the power of self-taxation in the highest degree." Surely he, the very champion of *Conservatism*, is the last man that would promulgate such a doctrine as that the people should appoint their own Governors and Senators, instead of the Queen. But do the people govern the United States more than the people here? No, sir, I undertake to say, not as much. In the United States, the Cabinet, when once appointed, is no longer under the control of the people and their representatives. But "we are governed by a little knot of Executive Councillors." It is a knot of councillors, at all events, who possess the confidence of the people. Suppose, for the sake of argument, that tomorrow this sweeping measure was granted, and we were placed where we were before. Who would impose the taxation upon this country? Would it be this House? It would be this House theoretically. Would it be the people? It would be theoretically. It would be the Legislature representing the people, and the Government representing the House. Generally, if not invariably, the tariff is brought down by the Government and is slightly, if at all altered, by the House. We were, therefore, as much taxed by a knot of Executive Councillors as we are now.

I thank Heaven as well as the Attorney General for the beneficent rule of Her Majesty and the government which surround her throne. The hon. gentleman then goes on to say that we have to approach Ministers very different from those that were in power in the time of George III, and I admit this also. "Her Majesty," we are told, "took the oath that she would rule the country according to the laws, customs and statutes of the realm." Now one of the statutes of this realm is this very Confederation Act, and certainly we are bound to respect it as well as Her Majesty. Then we are told—"Look at the injuries done to the province within the last six months." See their liberties taken away; see them taxed by a foreign and alien Legislature; see their property taken away from them, &c." Are we taxed by a foreign and alien legislature? Are we taxed more unfairly than the State of Maine which has in a manner been brought into invidious comparison with us? I hope the day will never come when we will be taxed in the manner stated. We have a General Legislature meeting on British soil and composed of British subjects; we have a representation in that body, though it may be small. Now I take such language as that used by the hon. gentleman, as simply a flow of idle words. But then some of the delegates ought to be hanged, according to the hon. gentleman; they would certainly not be permitted to live in some countries. What country is meant? The very country that the hon. gentleman has been bringing into invidious comparison with us.

The hon. gentleman goes on to tell us that

he does not believe that the high-minded British Government and Parliament will refuse repeal at the instance of this Legislative body. If it should be the case *what then?* That is an expression which we have heard all over the face of this country for the last few months. I believe more strongly than the Attorney General believes the very reverse, that Repeal will not be listened to for a single moment. And what then? Have the government or any of those who are agitating this question considered the position that they will occupy. In a part of his speech the Attorney General says something about the British flag being taken away from this country, and another substituted—that such an occurrence would be a dire calamity. I ask the House to consider whether or not there is being spread abroad in this country, from one end to the other, a feeling that may, in case Repeal is refused, lead to consequences which I do not like to contemplate. I feel it my duty as a member of this House, to ask my fellow citizens to pause and consider if their request should be repealed. "What then?"

The Attorney General said that he had taken great pains to ascertain the grounds on which we hold the present constitution of this country, and he went back to the "old times" of this colony. In the time of George II. a colony called Grenada had a charter granted to it by the king, but three months afterwards an act was passed imposing certain taxes on the country, which act was declared by Lord Mansfield to be illegal. No greater man ever adorned the British bench, no man ever made more mistakes than Lord Mansfield. I ask the hon. Attorney General whether the principles in respect to libel which that eminent man fought from court to court, and in the House of Lords, would be tolerated now. Under that doctrine more tyranny was committed than had ever before been committed in the annals of British jurisprudence. But suppose the Parliament of England had imposed a tax on the colony, would Lord Mansfield have dared to oppose it? There is no such case on record. We have only this instance of a king, after he had once delegated his authority coming forward and imposing this tax. Formerly, it is true, ship money and taxes were levied by the king; but they were shewn to be unconstitutional and irregular. I know the love of the hon. Attorney General for old times. How many persons would now like to submit to the charter referred to by him? I will come to times after the charter had been improved, and what happened then? We had 40 men sitting in this Legislature and 12 sitting in the other,—who were characterized as twelve old women. They sat with closed doors, and allowed no person to know what was going on. These twelve men controlled this country—imposed and collected every penny of taxation. Yet the old charter must be irrevocable. Cannot a constitution that has once been granted by the king be altered? Many of these charters were formerly granted to men to manufacture certain articles, to have an exclusive right to them in certain localities. It was contended that these charters were irrevocable. When it was found

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necessary that there should be some power to alter these charters, by William and Mary, chap. 8, the whole control of all such matters was given to Parliament. Yet will the Attorney General or any other lawyer versed in constitutional law tell me that the High Court of Parliament had not the right to alter the charter given to Lord Cornwallis. Then let him go to Jamaica, if he denies it, and what do we find? The whole charter of that colony was swept away and changed by the Parliament of Great Britain. Nor is that all. Did not the Parliament interfere with the constitution of New Zealand? Did not they go to South Africa and unite the two countries into one? Ten or fifteen years ago the separate Legislatures of Canada were swept away, and the two Provinces united as one.

The Attorney General says that "Queen Anne became the absolute owner of Nova Scotia, and it does not belong to the people or Parliament of England, who had no more to do with it than the people of Turkey." If that were true we would certainly be in a nice position—subject to the caprice of the governing powers of England, with nothing but a flimsy charter between us and the monarch of the realm. We have a noble status—we live under the shadow of the British Crown—under the shadow of the British constitution and British Parliament—we are not subject to the mere caprice or whim of any single person. To tell me that the Parliament of Great Britain has nothing to do with the Province of Nova Scotia is to tell me what no sensible man can believe. The Parliament has the power which it has continued to exercise for the last century whenever the Imperial interests are affected. I speak now within my own recollection. I had the honor, when a young man, of being one of Her Majesty's Collectors of Customs under the British Government—commissioned to collect certain duties imposed by Imperial statute, and with which this Legislature had nothing to do. Yet the Hon. Attorney General wishes to go back to the original charter. The money came back, it is true, but for what purpose? To pay the Judges and other public officers whose salaries were paid by the British Government. They never gave up the right, until at last the duties became too small to pay these salaries. Then came the great fight on the Civil List between this Province and the British Government. At last we had to agree to fix the salaries of the public officers at certain sums before the matter was settled. Not until last year were we allowed to touch the matter again, and deal with it as we might think proper. Yet, says the Attorney General, the British Parliament has nothing to do with the Province.

The hon. gentleman asserts that the day the King signed that charter, and appended his Great Seal, he gave up the authority to make laws to the Legislature. Unquestionably he did. To make laws, how? Subject to his own approval—to his own veto. That is the power which the Queen still possesses. Did he give them the exclusive power to make laws? He retained the right for the Imperial Government of making laws whenever the

Imperial interests required it. It is not a dozen years since a large proportion of the shipping were taxed by an Imperial statute for the erection of a light house at Cape Race. There is not a ship that comes into this harbour, or goes into a foreign port, but is controlled by an Imperial statute. Our statutes in connection with that matter are not regarded; our shipping act is not of any value beyond the borders of Nova Scotia.

I am sorry that I cannot follow the Attorney General through his valuable discourse upon political economy. He says that the free trade policy of 1848 was an injury to this country—that it fettered trade, and led to a great deal of difficulty. I differ from him on this point also. Never was there a greater boon conferred on the British Empire. England said to the Colonies: impose what duties you think are necessary, but you must not make any difference between duties on American goods, and those from England, or anywhere else. That policy, for a time, led to some hardship; it prevented our goods, for a time, going into the West India market. It was nevertheless an evidence of the genius of England. She showed the world what the enterprise and energy of her capitalists enabled her to do; but the Attorney General is a protectionist of the old school, and cannot appreciate this wise and judicious policy of the mother country. But had England nothing with us when she passed the Act in question? What right had she to say that you shall impose certain duties? What right had she to violate that musty old parchment found somewhere in the archives of this building? The Imperial Government then told these Colonies, if you pass an Act contrary to our policy, we shall veto it, and the Colonial Governors were instructed to reserve their assent on all such measures.

The hon. Attorney General goes on to say that if the time should ever come when the flag of Great Britain shall be lowered on Citadel Hill, and the flag of another nation raised in its place, it would be a time of dire humiliation. If that time should ever come, he went on to say, and the United States put in possession of Halifax, it would become a second Gibraltar. Why we are now a Gibraltar as far as the strength of the fortifications go—our harbour is more impregnable than any in the United States. Let any of these gentlemen take a walk to the Point or go across to McNab's Island and see the additions that have been made to our fortifications within the last few years. Halifax would now be a far more difficult place to take than the City of New York. The hon. gentleman says that it would be a sad day when the Americans obtained possession of Nova Scotia. So it would be; but let me tell the hon. gentleman that though Great Britain may often—perhaps too often for her prestige—present a peaceful attitude; yet let the flag of Annexation be once raised in Nova Scotia, and every acre of the soil would be deluged with blood, before she would allow this province to be yielded to any foreign nation. I am not afraid that the flag of any other nation will ever float over this country except the flag of England; but what I fear



is this: if a serious cry of annexation should ever be raised, and the United States should ever interfere in this matter, Nova Scotia will be ruined, since her soil will be the arena of conflict. I agree with every word that the hon. member has said about the great loss that Great Britain would sustain if she lost Nova Scotia—for it would be a heavy blow to her maritime supremacy. Knowing that Great Britain would look on it in that aspect, I feel she would spend millions of treasure before she would suffer this province to pass away from her.

The hon. gentleman says that the House of Assembly passed a resolution authorising a delegation of an equal number from each Province, and that all the proceedings were illegal unless this principle was carried out. Now the fact is that the resolution only says that each Province shall have an *equal voice*. It made no difference whether there were six from one Province and ten from another,—whenever any question came to be discussed each of the Provinces had but an equal voice and equal vote.

The hon. gentleman has suddenly fallen in love with a Legislative Union. I don't differ from him very much, but I am sure his friends will not agree with him. What have they been saying over this country for the last two years? We will be swamped in the General Parliament, because our representation is only 19 in a House of 181 members. But remember we have now a separate Legislature, to which is entrusted the management of many very important public questions. You have now charge of our mines and minerals, education, crown lands, and other matters affecting the people; but let the principle of the Hon. Attorney General be carried out, and what then? All these important matters will be taken away from us and entrusted to the General Parliament. Do the gentlemen who support the Hon. Attorney General agree with him on this point?

I have been taunted with being in a miserable and mean minority—with being the representative of only a fraction of the county which sent me here. But my hon. friend from Cumberland, as well as myself, feel that we have a greater responsibility thrown upon us. I am the representative of 13,500 voters in the Province of Nova Scotia. It is true that the vote cast on the other side was much greater; the people, in the exercise of their constitutional right, swept out of sight the members of the Government which had promoted Confederation; but I am not ashamed that I stand here the representative of a fraction of the people under those circumstances. I feel strongly my inability to do justice to the great body of men whose representative I happen to be; but all I can say is that I have done my best to promote their interests and discharge the duty devolving upon me.

#### Afternoon Session.

##### PETITIONS.

Mr. KIDSTON presented a petition from B. and M. Morrison and others for a money grant; also, one from McMillan and others; also, one from Alex. McDonald and others; also, two from Big Interval.

Mr. DICKIN presented a petition from the Fruit Growers' Association.

The adjourned debate was resumed.  
Mr. PINEO said—I beg permission to second the amendment which has been moved by the hon. member for Inverness. As another gentleman had the floor on the adjournment of the House I will not now occupy the time, but will reserve my observations for another occasion.

#### MR. MORRISON'S SPEECH.

Mr. MORRISON said—In rising to address the House on the question now before it, I may say that I am laboring under the same physical disadvantages of which the hon. member for Inverness complained; but the duty which I owe to the people demands that I should meet some of the arguments used by that gentleman on the spur of the moment. The hon. member told us that he was unwell, but he did not tell us the cause of his illness; I feel confident it has been an abscess, filled with illogical matter, judging from what escaped his lips, and I trust that having got rid of such a quantity of terrible matter, he will, as he certainly should, regain his wonted health. I will be under the necessity of reading his speech backwards in the comments which I shall make upon it. The first thing, therefore, I shall refer to will be about the last sentence he uttered, when he told us, in bold language, that we would not get a repeal of the obnoxious Union Act. He was ten thousand times more confident that we would not get repeal than the Attorney General was that we would get it; but was that all? No, sir. The learned member was not only positive in his assertions, but he was defiant and threatening in his tone, and he told us that before England would consent to Repeal or to our separation from the Empire she would drench the soil of the whole Dominion in blood. That language reminds me of the bullying which is heard in other Parliaments than this. What are we about to do? We are about to approach Her Majesty the Queen in a simple and constitutional way, asking her to see that the Commons of England repeal the act which confederated us to Canada. Because we make that plain and honest request it is insinuated that we are annexationists, for that is about the purport of the language that was used. I assert with as much confidence as he displayed that this Confederation Act will be the very means of accomplishing a separation from the Empire and our annexation to the United States,—if that event should ever happen—for I believe that a love of annexation principles underlies the whole of the proceedings on which that act is based. It is because that is my belief that I oppose the measure as strenuously as I do. If the act be not repealed it is my conviction that circumstances which we cannot control will carry us into the neighboring Republic.

The hon. member has told us that the Imperial Parliament has a right at any time to step in and alter our constitution;—this much I will grant him: that when the necessities of the nation require it, the Parliament

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may have a right to say to us, we cannot keep you any longer in your present connection, we must cast you off. But I deny the right of the Imperial Parliament to follow us after that connection has been broken, and force us into an obnoxious position against our will. I say to this House, and to the people of this country, that if she does do so it will be an unconstitutional act on her part, and a perfect breach of faith with the people of this country. We are told in the first clause of the amendment laid on the table by the hon. member, that Nova Scotia has the right to make laws by her Parliament for her own people,—I go with the hon. member there;—it says further that she ought to have that right,—I go with him there also,—but I ask has the Parliament of Nova Scotia made this Confederation Act? I deny that it did, it never passed through our House, therefore it is no law of our making. The legislators who are elected are the men who have the right to make laws for the country in which they are elected, and no one else has that right. The men elected must make the laws, they cannot delegate the power to another body. I deny that two Parliaments can hold the same power,—we have no authority for such a proposition, either in the moral law, statute law, or common law; or in the divine law, or the law of nature;—a man cannot serve two masters,—if the power has been given to the Parliament of Nova Scotia to make a law, that Parliament may make it subject of course to the assent or dissent of the authorities in England, that is the constitutional check placed on our legislation, but no other Parliament can have the same power at the same moment. Something has been said in reply to the remark of the Attorney General about our having no court for the trial of political offenders, and the hon. member for Inverness says that this legislature is the court,—but I differ from him there. There is such a court, and the people of Nova Scotia constitute it. They have given our late political offenders a trial, and have consigned them to oblivion as politicians forever, and in that they exercised a most righteous judgment.

When the hon. leader of the Opposition came to refer to the Republic on our western border, he grew highly eloquent,—he swelled himself almost as big as the frog in the fable, and talked about the tremendous democracy that had suspended the *Habeas Corpus Act*. It is true that in the United States that Act is suspended, and why? Because over a million of men were in arms, and no one knew from what quarter the next bayonet thrust would be made on unoffending citizens; but is there no other part of the world in which that Act is suspended? Will it be believed that the *Habeas Corpus Act* is suspended in this mighty Dominion? And what is its Government afraid of? Not of the bayonet, but of the free expression of the opinions of the people of Nova Scotia. The Government of the Dominion are smoothing the way to throw us into prison and keep us there without a trial if we should raise a murmur against their acts of tyranny. A great deal has been said from time to time about the United States having confederated, and that

matter was referred to by the leader of the Opposition to-day. It is true that those States did confederate, and why did they do so? They had no nationality—they had to confederate in order that they might become a nation. There was no such necessity in our case, for we were part and parcel of the mightiest Empire in the world. Our new constitution makes us, not as was the case with the old colonies, a new and independent nation, but a mere sub-confederacy, taking us away from the bosom of the Empire instead of drawing us more closely to it. But the hon. member said that somebody outside this House asked: "If we cannot get repeal, what then?" The hon. gentleman spoke as if it were really wrong to ask so simple a question;—he assented in taking away our constitution, and now he wishes to silence enquiry;—he would not only manacle our hands but seal our lips. Surely a Nova Scotian can ask "what then" as well as a man in any other part of the world. But there is another question I would like to ask, and it is: If we get repeal what then? That is a question which the hon. member for Inverness will be more deeply interested in. When he goes down to face his indignant constituents they will show him "what then." In speaking of the change in our constitution the hon. member told us that no such question was ever submitted to the people at the polls. He must have a very short memory, and I could not help thinking, as he made the remark, of what old Doctor Henderson said, when his neighbor's pigs got into the field,—"I turned them out," said he, "and told them not to come back again, but I find they have very bad memories; they all came back again, and now I'll take a gun and, faith, I'll help their memories." No such question submitted to the people at the polls! Was it not done twice in New Brunswick in relation to this very question? Were not the people of Prince Edward Island allowed to pass upon it? Was not Newfoundland allowed to say whether she wished to come in or not? Yet that right was denied to Nova Scotia, and without casting any reflections on the other Provinces, I may say that our people possessed as much, if not more, intelligence than those of any other of the group of colonies. Aye, sir, it was because they had more intelligence that the right was withheld from them.

Was not the question of annexing Ireland to England submitted to the people? Yes; and when the people of Ireland refused to accept the measure at the polls, English gold was sent in to accomplish the work, and the rights and interests of Ireland were sacrificed by her legislators. And yet the hon. gentleman stands up and asks if ever such a question was submitted to the polls. In the course of his speech he said that Sir Robert Peel had declared that Parliament was bound to set an example of wisdom, justice and good faith. I thank him for that reference, and I say well would it have been for this country if the late government and legislature had followed the advice of Sir Robert Peel. Before I conclude my remarks I will show that that government and legislature acted most foolishly, with the greatest injustice, and in violation of every particle of

faith which they should have held good. I think I can show that that government violated the pledges which they had given in their despatches, and acted in such a treacherous manner that if the most simple basket-maker, the most fallen fishmonger or the most humble hod-carrier in the land had broken pledges, and deserted the interests of his master so fully as they did, there is not a society of chimney sweeps in the British Empire but would kick him from their company. The hon. member for Inverness told us that the constitution of England had been changed by the emancipation of the Catholics. Was that a great change of the constitution such as the present one? Not at all; it was only simply taking away a religious disability.

But the hon. gentleman said that the Parliament of England took no step in this matter until our own Legislature had dealt with it. That brings us back to the assertion that our people had a right to make any law affecting their own interests, the check being the withholding of Her Majesty's assent. The theory is, that Nova Scotia, having the power, moved first for such an act, and that Great Britain followed in the wake. We will examine that theory presently, but in the meantime let us look at another illustration that was brought forward—that of the English Reform Bill. Parliament, it is true, passed that measure; but what other power could have done it? But that was not a change in the constitution; it did not deprive any class of people of their rights—it merely added to the rights of the subject. That is a distinction which I wish kept clearly in view. Not one of these acts denuded the people of England of any rights or privileges. Then, again, as to the repeal of the Corn Laws—did that measure transfer the revenues of the country to another Government? True, it might for a time cripple the revenue, but the people were willing and able to bear the loss. And there is another point here which I wish to press on your attention: were any of these measures carried against the wishes of the people of England? No, but in obedience to their commands; while the Act of Confederation has been forced upon us despite the strong remonstrances of the people. Catholic Emancipation, the Reform measure, and the repeal of the Corn Laws, had been debated for years; election after election had turned on these questions, and the men elected to support the legislation which was accomplished. We, on the contrary, had no opportunity of choosing our representatives with the view to any such change in the constitution. That, I think, is a full answer to the argument deduced from parallel cases. Circumstances alter cases. The Ministry of England could not, on any one of those measures, have stood a week if they had not bowed to the will of the people; but here we had a Ministry standing in defiance of the people, and insisting that the people had no voice in the matter.

I assert here that our rights were handed over against our will,—we were made dependants of Canada, and I ask if any such example can be found in English history? No

sir, no such act was ever done before by the British Parliament, and I defy the hon. member to point me to an instance of it. We know that the despotic autocrat of Russia has within the last four years liberated twenty-six millions of serfs, giving them a certain measure of political freedom and other privileges. Brazil, another despotic empire, has, within the last four years, liberated three millions of her slaves;—the Great Republic lying on our western border, has just come through the most terrible inter-necine war that was ever raged in the world, a war in which she drenched her hills and valleys with human blood to liberate four millions of her slaves,—but oh, sir, tell it not in Russia,—proclaim it not in the streets of Brazil, or on the housetops of America, that in England, the boasted asylum of liberty, an Act was passed in the seventh decade of the nineteenth century that makes 350,000 British freemen British serfs. We are determined to relieve ourselves from that position of serfdom, and because we do so we hear all manner of insinuations brought against us. Having now, as briefly as I could, reviewed the speech of the hon. member for Inverness, I will turn my attention to the subject more immediately under discussion. I must here express my deep regret that the Imperial Parliament thought proper to pass an act that has brought the people of this country to the verge of a crisis which is unparalleled in the history of British North America.

Single-handed and alone, Nova Scotians, by industry and economy, had elevated their country to a position that was enviable in the eyes of their fellow-colonists; they could point with pride to the rapid advances which they had made in material prosperity as well as to their loyalty and attachment to the throne of Great Britain while cherishing their own free institutions. They could point to noble public works which had been laid down in the country, while they had been ever ready to meet in the most prompt manner all the local demands of all their industrial classes. With a tariff lower than that of any of the other Provinces of British America, they had provided abundantly for the education of the youth, the maintenance of the roads and bridges, and of all the other public services. The moral character and law-abiding disposition of our people, together with the soundness of the mercantile and banking institutions, had made Nova Scotians respected abroad, while the geographical position of the country, jutting out into the bosom of the Atlantic, with magnificent harbours spread over the seaboard, and open to the shipping at all seasons of the year. The richness of our mines, abounding in almost every county of the Province, together with the vast amount of our commercial tonnage, all combining to make Nova Scotia an object of pride to her people, and the brightest gem in the colonial possessions of the British Empire. With this state of things the great body of the people were perfectly content, but in an unguarded hour an unnatural hand was laid on this prosperity, and our institutions were swept away in defiance of our constitution. The wrangling politicians of Canada, not content with their

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own condition, and by mismanagement having brought themselves to a dead lock, conceived that the only way of relieving themselves was to come down on the Maritime Provinces and drag our people into their broils. Accordingly they came here, and some of our own politicians, full of ambition and lust of power, aided by the indifference and hot-haste of the British House of Commons, obtained the enactment of a law which took from us almost all our rights and privileges. We have been subjected to the domination of Canada, as I will shew by an extract from the speech of one of the members of the Ottawa House of Commons. Mr. Harrison said:—

"Canada before Confederation had not more than 524,575 men between the ages of 20 and 60, but since Confederation we have not less than 653,557 fighting men. We have added not less than 1,000,000 of consumers to our whole population, and not less than 100,000 fighting men to our military strength. Besides we have acquired great strength on the sea, where we were in most need of strength. Before the Union we had only 5,953 sailors, and most of these on our inland waters. Now we can boast of 28,360 sailors, and when we shall have Newfoundland as a member of our national partnership we shall have no less than 66,938 sailors, and so become one of the great maritime powers of the world. Before the Union our shipping was represented by a tonnage of 287,187 tons, but now we can boast of 708,421 tons, nearly as much as that of France with a population of 35,000,000. (Minister of Justice—Our tonnage is as large as that of France. Mr. Harrison—If we could now count Newfoundland and Prince Edward Island as parts of our Dominion, I believe it would be as large, but without those Provinces—I think our tonnage is a little less than that of France.)"

Thus we see the almighty "we" sticking out of every part of the speeches at Ottawa. The tone of the Canadians is "oh, be quiet, and we may modify the tariff for you." Is not this the language of the captor to the captive? It certainly is, and the Canadians did not spare their pains to let our people see that they regarded us as captives. And yet, sir, I regret exceedingly to find that there is a man of Nova Scotia birth who is willing to stand up on the floors of Parliament and vindicate an Act which brings such degradation on our people.

I will now, sir, put before the House and the country several extracts from despatches which, I believe, will put the question in a clearer light than anything that I could say upon the subject. The task will be, no doubt, to my hearers dry and tedious, but I hope I may be indulged with attention. The first proposal in reference to Confederation we find came from the Canadian Government in a despatch asking Major General Doyle whether that Government would be permitted to appoint delegates to confer with those appointed by us on the subject of a Maritime Union. Sir Richard Graves MacDonnell having assumed the reins of Government here very shortly after the receipt of that despatch, returned this answer to Lord Monck with the advice of his Council:—

"I can assure your Lordship of the extreme pleasure which it will afford this Government to confer unofficially with any Delegates sent from Canada. It is, however, necessary to remind your Lordship that no Resolution has yet been passed by any of the Legislatures of the Maritime Provinces,

authorising the appointment of Delegates for any purpose but that of considering some plan for the Union of the three Provinces. Therefore, neither I nor my Ministry have the power to go beyond the exact powers conferred by that Resolution."

There we find a distinct admission that the Government and the Delegates had no power even to discuss the subject of the larger union without the authority of the representatives of the people. On the 18th July, 1865, Governor MacDonnell sent a despatch to Mr. Cardwell, some extracts from which I will also read:—

"I have consulted my Executive Council on the question, and the Members concur with me in thinking that the Resolution of the Legislature, which authorises the appointment of Delegates to discuss the Union of the Maritime Eastern Provinces, confers no power to discuss officially, the larger question embraced in Lord Monck's enquiry."

"Having signified to my Ministry my willingness to appoint Delegates to meet those of New Brunswick and Prince Edward Island, it seems proper that I should call your attention to a Despatch of the 27th of January, 1860, marked confidential, and addressed to my predecessor by his Grace the Duke of Newcastle. In that Despatch his Grace, whilst apparently expressing no disapproval of the discussion of such a question as that which is now imminent, concludes with the following instruction: 'Previous to sending Delegates to Quebec or elsewhere, such a proposal should not be authorised by yourself without previous communication with the Secretary of State, in order that the question of the Delegates, and the instruction to be given them may be known beforehand to H. M. Government.'"

There we had again a recognition of the people to heard through their representatives before the appointment of a delegation, and an admission that such an appointment could not be made without the sanction of the Colonial Secretary. Further on I find the following clause:

"In the meantime I venture to add, in reference to the suggestion of Lord Monck, that it seems premature to discuss the larger question of a Union of the five Provinces before it can be ascertained whether the three smaller, whose interests are more immediately and more evidently connected, can be induced to combine in closer connection. I apprehend that the more limited project, if practicable at all, as I hope it is, is all that can be managed for some time to come, whilst if the larger proposal be attainable, and be desirable, its adoption will eventually be in this way much facilitated. I think so, because a Union between two communities, which would be all that would then remain to be accomplished, will assuredly be a simpler question to arrange than a Union between five at present."

That was the language which the Lieutenant Governor, by the advice of his Council, held in 1864. Again, on the 18th August of the same year Governor MacDonnell sent a despatch to the Secretary of State, in which he says:

"I explained that the Legislatures of the Maritime Provinces had not authorized discussion by their delegates of any question except the Union of those Provinces, and that although it would afford this Government much pleasure to receive and confer unofficially with any parties authorized by Canada to discuss a larger question. I could not clothe the delegates of Nova Scotia with more extensive authority than that already conferred by the Legislature."

Here, again, was an acknowledgment of the right of the people to deal with the question through the Legislature. Again, he says:

"I always spoke hopefully of greater united action, on the part of these colonies, in many important matters; but I never intended, and it would be premature as well as inconsistent with the duties of my position to have appeared as an advocate of any general union in the sense intended by other speakers."

On 29th September Sir R. G. MacDonnell transmitted another despatch. It would appear that by that time, from whatever influences were brought to bear, the minds of the Executive Council were changed, and its members had become clamorous for appointment to go to Canada. In informing the Secretary of State of this fact, the Lieut. Governor said:

"I have the honor to inform you that my Ministry are very anxious for the appointment of Delegates from this Province to confer at Quebec with Delegates from the other Maritime Provinces and Canada. The subject of the Conference is intended to be the feasibility of a Union, whether Federal or Legislative, of all British North America. Even Newfoundland is sending a Representative; and as the Conference is intended to commence on the 10th October, it would be impossible for the Representatives of Nova Scotia to reach Quebec at that date, if I await your sanction to their appointment by the mail due at Halifax on the 12th October."

It would appear from this that the 12th October was the earliest hour at which authority for the appointment of delegates to Quebec could be given, and he says further down:

"I agreed yesterday in Executive Council, to nominate as Delegates to the Quebec Conference the same gentlemen who had already represented Nova Scotia at the Conference in Charlottetown and Halifax."

I find, however, on further inquiry, that no official invitation, such as I could recognize, has been yet received from Lord Monck, adequate to justify my nominating Representatives of this Province to a Conference, where, strictly speaking, they should not proceed at all without your previous sanction. In fact no proof of any invitation having been sent to Nova Scotian Delegates has yet reached me. I have, therefore, telegraphed to Lord Monck to that effect, and as possibly I may find myself unable for the above reasons to name any Delegates to the Quebec Conference, I think it best to put you in possession of the above explanation."

Here the government of Nova Scotia had to admit that they had no right to make the

appointment even after they had induced His Excellency to nominate the delegates who had been at Charlottetown. But there is something a little more surprising to come. Under the date of the 3rd October we find His Excellency saying in a despatch to the Governor General:

"I have the honor to state, for your Lordship's information, that I have laid your Despatch and its enclosure before my Ministry, and I have appointed the Hon. Provincial Secretary, the Hon. Attorney General, the Hon. R. B. Dickey, the Hon. J. McCully and A. G. Archibald, Esq., to form a Deputation to meet the Delegates from the other British Provinces in Conference at Quebec, on the 10th inst., as proposed in your Lordship's Despatch."

Thus, although no authority for the appointment of the delegates could reach Nova Scotia before the 12th Oct., we find that, nine days before that date, they were appointed, and I think it will further be found that each one of those five gentlemen had, on the 30th Sept., drawn from the treasury and pocketed \$400. We also find in a despatch of 3rd Dec., from Mr. Cardwell to Lord Monck, in which, being aware of the conference at Quebec, and understanding that the delegates wanted to submit their resolutions to the Parliaments of the several Provinces, he says:—

"It appears to Her Majesty's Government that you should now take immediate measures, in concert with the Lieutenant Governors of the several Provinces, for submitting to the respective Legislatures this project of the Conference; and if, as I hope, you are able to report that these Legislatures sanction and adopt the scheme, Her Majesty's Government will render you all the assistance in their power for carrying it into effect."

Here then we find Mr. Cardwell embodying in his instructions to Lord Monck the very principle for which we are contending, directing that the measure be first passed through our Legislatures, and afterwards promising the assistance of the Imperial Parliament. And yet the Government of that day undertook to deal with the whole subject without submitting it for our consideration. But we have further light thrown on the subject, by a despatch from Lord Monck to Sir R. G. MacDonnell, dated 23rd December, in which the former says, referring to the instructions from which I last quoted:

"In pursuance of these instructions I have the honor to inform you that I have summoned the Canadian Parliament to meet on Thursday, the 19th January, 1865, when I propose to bring before both Houses of the Legislature the important subject referred to in Mr. Cardwell's Despatch, in order that, if the Legislature should think fit, an Address may be adopted to the Queen, praying Her Majesty to direct that steps be taken for passing an Act of the Imperial Parliament to unite the Provinces of British North America on the basis laid down in the resolutions adopted by the Quebec Conference."

The reply of Sir R. G. MacDonnell, on 9th January, was as follows:—

"In reference to the course which your Lordship suggests for the purpose of giving



effect to the instructions of Her Majesty's Government, viz., to submit to the respective Legislatures the project of the Conference, I am in a position to state that this Government will take similar steps to those proposed to be taken in Canada."

Here was a further pledge that the whole question would be presented for the consideration of our Legislature in the Session of 1865. But I will go a step further, and quote the language used by the Lieut. Governor to Mr. Cardwell on the 13th January, 1865. He says, speaking of the course stated by Lord Monk, to have been the policy adopted by the Canadian Government:—

"I have had much pleasure in intimating the entire willingness of this Government to adhere to the same policy. It is indeed precisely the course which I had myself recommended as soon as I was in possession of your views on the Quebec Resolutions."

This is the last extract which I shall make from the Journals touching the action of the delegates and of the government of British America down to 13th January, 1865. I repeat that it was the Canadians that forced themselves on the people of the Lower Provinces; the Union was not our seeking, nor that of the people of England. The Canadians had got into a difficulty from which they could only extricate themselves by dragging us in with them. I think I have shown from the despatches that our government acknowledged that they had no power to appoint delegates until the authority came from Her Majesty's government; yet they did appoint these delegates, and paid them, and those delegates had been sitting in the Conference at Quebec preparing to legislate away our independence several days before the authority for their appointment reached Nova Scotia. I ask, then, sir, if that is constitutional? Certainly not. I think I have shown to the House that Governor MacDonnell was opposed to the scheme, for that appears by his despatch of 18th August. I think I have also shown that the Secretary of State forbade the appointment of delegates without his instructions, and yet those appointments were made in the absence of those instructions. I think I have shown also that the British Government, as well as the Governments of the Colonies, were of the opinion that the results of the deliberations at the Conference shall be submitted to the Parliaments of the Provinces at the first Session afterwards. There was no denial of the rights of the Legislature or people then—and why? Because it was believed that the scheme would be popular; but when the delegates returned they found their mistake. Hence it was that Mr. Tilley went to the people of New Brunswick; but our "Premier" knew that he was doomed if he went to the country—he knew that he never could carry an election in Nova Scotia again. He had carried one election on a famous retrenchment scheme, and his party had been returned to carry that measure into effect. Did they do it? Not at all; but Dr. Tupper turned his attention to a scheme that the people were determined he should not carry and said he had no right to deal with. He found that by gross misrepresentation he had

got himself into such a position that he had nothing more to expect from the people of Nova Scotia, and hence it was that in hot haste he hied off to Canada, and there, with a brow of brass and a tongue of venom, tried to better his circumstances at the expense of the people whom he had betrayed and deceived.

That was the true cause of the determination on the part of the Government of Nova Scotia to get us into Confederation. It is true that they have tried to shield themselves under the authority of Lord Monk in the appointment of the delegates, but I deny that Lord Monk had any more power in the matter than Governor MacDonnell. The whole thing was taken up without proper authority, but that was not all: we have to complain not only that they acted without due authority, but that they acted deceitfully; the whole scheme was to have been kept perfectly secret until it could be submitted to the Parliaments, for they expected to rush it through before the people could instruct their representatives what to do. If it had not been that Mr. Palmer, of Prince Edward Island, was more honest than the rest, and exposed the scheme, and that our people, becoming alarmed, summoned their delegates to meet them in a public hall in Halifax to explain their resolutions, the plot might have been carried out. Our delegation did come down and explain their conduct, and they pretended to say that they had authority by virtue of the resolution of 1861. That ground was struck from under their feet, and here let me say that when that resolution was passed, I opposed it might and main; I was the cause of its not being discussed here, and I can therefore claim to be the first Anti-Confederate in Nova Scotia, for I said to the Government of that day: "I do not expect that you will do anything wrong under this resolution, but you know not what devil may follow you." The delegates, as I have said, came down before the public in Halifax, and got Mr. Archibald to box the figures for them. According to his statements it was the most beautiful scheme that ever was submitted; we were going to have all the fortifications that were necessary, all the canals were to be deepened, the Intercolonial railroad was to be built, the Northwest Territory opened up, and all for forty cents per head. I never believed that Mr. Archibald was sincere in those statements—they were got up to deceive the people. But the people soon began to gather in different parts of the Province, petitions came in to the Legislature, and, after the Government had consulted their friends, they found that in a house of 55 members they had but 22 in favor of their scheme—one of that number being in the chair. They dare not therefore submit the measure to Parliament as they had pledged themselves to do.

But what more sir? They had pledged themselves in the Governor's speech to submit the scheme to the legislature,—in ten paragraphs of that speech Confederation sticks out as plainly as anything can, and notwithstanding that, the government dare not bring down their scheme. But what did they do? They tabled a resolution and car-

ried it through the House, I do not know by what majority, declaring the whole scheme impracticable. What was this done for but to deceive the people who were rising against the measure. Eight or nine thousand persons however had already petitioned Parliament, and I believe that some little respect was paid to those petitions, for I think that it was in consequence of them that the resolution which I have cited was brought down. Everything then became calm and smooth in the Province,—no man expected that the question would come up again before a general election would take place. When, in the following year, 1866, the legislature was about to meet, a speech was prepared for the Governor, in which no mention was made of the scheme. The people then said "there will be no confederation now, the government have abandoned it until after the general election. But, whatever means had been used in the recess, the government soon began evidently to feel that they would be stronger on the subject in 1866 than in 1865. In the former year the Bills and Bourinots were in deadly hostility to confederation, but when the resolution to appoint delegates to England was brought in during the session of 1866, we find them recording their vote in favor of it. I do not wish to impute motives, I merely wish to state facts and let the people draw their own conclusions. But it is evident that when they found that a great number of that class of men were to be made Legislative Councillors and Senators, they voted for it.

But were there no other improper means used? I well recollect the sensation which prevailed throughout the country when the leader of the Government came down and declared that he had received despatches of too startling a nature to be announced on the floors of Parliament, but that he could say this much: that the Province of New Brunswick was about to be invaded. That announcement, it is said, took over two men to the Government ranks,—it was made with the design of taking over men. But let us see what other means were made use of. By the Quebec resolutions the twelve Senators were to be taken out of the Legislative Council,—here was a beautiful chance of holding out to twenty four gentlemen the prospect of promotion. The twelve Senators, by the Quebec resolutions, as I have said, were to be taken from the Upper House, if gentlemen holding seats there were willing to go, and not only so, but half of the number were to be taken from the Opposition, and that was another reason for gentlemen voting for the resolution. But in the Act these provisions were struck out, and the Government then said: "Oh, we are not bound to do that." The resolution giving the Government power to appoint delegates to go to England for the purpose of arranging a scheme in connection with the British Ministry, was carried through this House at the dead hour of night, and the "previous question" was moved to shut out debate. "The wily Archibald, knowing that such a proceeding would damn their case, asked the Government to withdraw the motion, which was accordingly done;—gentlemen rose out of their beds on that night

and came here to defend their country from the men who were determined to sweep away their rights. Then there was another piece of hypocrisy practised on the Legislature. Instead of the resolution, which I referred to, about the appointment of Senators being carried out, and the selections being made from both sides in the Legislative Council, only six or seven were taken from that body, and not a man was appointed from the ranks of the Opposition. That is a fact which I challenge any gentleman to deny. There was but one man in the whole country appointed to the Senate from the ranks of the Opposition, and that was Mr. Locke, a member of this House. That resolution of this House in 1866 was carried by the basest deception and misrepresentation.

I have remarked that the interests of Nova Scotia were swept away by that Confederation Act, and I ask now how the people of Canada would have borne such treatment from the British Government? If an attempt had been made to attach Canada to a greater country, what would have been the consequence? There would have been an instantaneous rebellion. This last fall, when they denied the right to a few individuals to express their opinions at the polls on the election of a member of Parliament, a riot was raised, the Sheriff was seized, and his papers taken from him, and not a man was allowed to be nominated in the district. That is the way they do things in Canada, and yet the Canadian champions in Nova Scotia, because we ask simply to have an Act of Parliament repealed, tell us that we are rebels. I have already said, that the Legislature had no right to transfer their authority to the Parliament of England to pass a law for Nova Scotia. The Crown having granted us the power to make laws for ourselves, had no right to interfere with that power; the British Government should have called on us to pass the Act, and if it did not afterwards suit their views, they could have rejected it. They had a right, if the necessities of the nation required it, to say that we should continue no longer in our present connection, but they had no right to force us into an unnatural connection with another country. You may turn a man into the street, but you have no right to dictate to him whether he shall go east or west, north or south; after you have driven him away, you must let him choose for himself. Yes, sir, I undertake to say that the whole Act is unconstitutional,—that it is a breach of faith on the part of England with our people.

They tell us that Parliament had the undoubted right to pass this law. What will that proposition lead to? Some men a little more ambitious than the late Government, may induce the Commons of England to pass an Act to transport us to the plains of Siberia, or consign us to the Black Hole of Calcutta. If you admit their power to deal with us against our will, where will be the limit to that power? We had the authority in Nova Scotia to make our own laws, and we did make them; we made such as we thought best suited to the people of this country, and under them the Province flourished as no other part of the British possessions did. We

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had the un- What will men a little Government, land to pass ins of Sibe- Hole of Cal- to deal with be the limit authority in aw, and we s we thought country, and rished as no ons did. We

kept ourselves out of debt, for, if we happened to fall a little short one year, we arranged the Tariff the next accordingly, and kept ourselves square. How was it with Canada? She did not manage her affairs in that way; instead of acting prudently and safely as Nova Scotia did, she went into rebellion on several occasions, and the cost of these rebellions hangs over her head at this moment, and we, the faithful and loyal subjects of our beloved Sovereign, are now called on to assist in paying it off. Because we do not submit with a good grace it is said, "O! you are rebels and annexationists." The resolution of 1886 told the delegates that they must get a scheme that would do equal justice to all the Provinces. Now, I ask, if the scheme they did get gives us equal justice with Canada? I deny that it does. It has swept away all the old revenues which we had under the 10 per cent Tariff, and has imposed a tax of 15 per cent. The additional 5 per cent will realize \$524,000, of which \$200,000 will be taken away to Canada, leaving \$324,000 to pay us our 80 cents per head. Let me ask if that is just. The scheme startled even the Finance Minister of Canada, for he told his people that while the delegates from Nova Scotia had consented to reduce the amount distributed for their local wants to the extent of \$200,000 or \$300,000, the scheme would give to Canada a million dollars more for local purposes than ever they had before. How, then, can any man stand up and say that the measure does justice to Nova Scotia? More than that, it gives the General Parliament power to tax the people of Nova Scotia by every method and to any extent that may be required.

But it may be said that our representation at Ottawa can protect us from injustice,—we have had a fair trial of that, and what power have they had to protect us? Though they stood shoulder to shoulder, how could we expect them to accomplish anything against 160 members? Ontario and Quebec have got the power in their hands, and will combine to use it whenever the interests of Canada require that they should do so. Nor is that our only ground of complaint. The Act takes away from our people the power of appointing a single way office keeper or tide waiter,—this patronage is all vested in a Government 800 miles away. We have been told that there is not a great deal of feeling in opposition to the scheme throughout the country,—that that feeling will all die out in a short time, and that the great majority of the intelligent people are in favor of Union, while against it there are but a few political demagogues. I say that such is not the case as regards the County of Colchester at least, and, without saying much in her favor, I think I may say that she may be considered as intelligent as any other county in the Province. And how did matters stand there? I will take it for granted that the feeling in most of the other counties is similar to that which was exhibited there, but in Colchester we had a fairer test of the opinions of the people on this question. We had the only Dominion official who came before the people of Nova Scotia at the polls, we had a man born within the county, with all the influences

of a large family connection, with the influences of the late lamented S. G. W. Archibald, with a professional practice of twenty-five years, with his own long political experience; and against these influences the friends of Confederation thought it impossible that the people of Colchester could win the election. But I am proud to say that the people of Colchester in their majesty rose superior to the difficulties of the hour, and notwithstanding that the Home Secretary could stand up and tell us that Queen Victoria was in favor of Confederation, that the Imperial Parliament was in favor of Confederation, that every intelligent man in England was in favor of it, that the Governor General was in favor of it, and that the Ministry of Canada were in favor of it;—although he could point to New Brunswick, and say that her people when they become well informed on the subject accepted the situation, yet he found he had lost the battle when election day came round. And were these all the influences that he had to assist him? No, sir; let me tell you that he had the Government of Nova Scotia at his back—he had in his county one of the ministry of the day and one of the legislative councillors of the day; he had all the influence of the educational institutions at his back; he had the Judge and Registrar of Probate and the Registrar of Deeds to assist him; he had the railroad laid through his county, with the influence of the department in his favor, and he had also a railroad in prospect, the expenses of which I always asserted, and my assertion has been verified to our sorrow, would have to be borne by us. With all these influences at Mr. Archibald's back, we overthrew him by a majority of four hundred. It was a noble and a mighty victory. We felt that the eyes, not only of all Nova Scotia, but of British America as well, were upon us, for there was the Home Secretary of the Dominion coming to the polls. But he has had to gather up the mutilated shreds of his former political reputation, and has betaken himself to the wilds of Canada, bidding farewell to his native country. I believe if occasion required, every county in the Province would do the same, for while Nova Scotians can boast of their loyalty to England, and will be ready to fight her battles, if necessary, while she gives them the rights of free men, they will never be loyal to Canada under a Confederation Act forced upon them as this has been. No sir; never! NEVER!! NEVER!!! We come now to a notable speech made in the Ottawa Parliament by one D'Arcy McGee who, I think, took a great deal of liberty with our people when, in the absence of their champion, in a speech pondered over for days, slept over for nights, he insinuated that the influences brought to bear in this country were not very creditable to our loyalty. Had he forgotten the time when he was an ex-patriated rebel, with a reward of \$1000 set upon his head? How dare he stand up there and preach about sedition? I wonder the men whom he addressed allowed him to sit among them; there could not have been any Tom Morrison there. Let him step boldly off with the laurels which he won in the cabbage garden; but let him not talk to Nova

Scotians about loyalty. He told the representatives of this Province that they sat there on a three-legged lie; ah, sir, I thank him for that expression; they do sit on a three-legged lie, but who put them there? They sat there by virtue of the Act uniting us to Canada. I point to the preamble of that Union Act, in which it is said that the people of Nova Scotia desired a Union with Canada. There is the first leg of the lie. Then I point to the assertion made across the water, that Adams G. Archibald was the leader of the opposition of this country, the fact being that he had been discarded from that position long before. That is the second; and if you want the third leg of the stool, I point to the lie which our late Premier put into the mouth of Mr. Watkin, about this matter having been submitted at the polls in 1863. There is his three-legged lie for him. It appears that notwithstanding all that has been said on the subject, the Confederates think we are to have no repeal. Well, sir, I confidently believe that we will obtain repeal, because it was said in the House of Commons, only last year, that if the people were dissatisfied, they must not be forced; and when they find that our people never had an opportunity of expressing their opinions, I think they will willingly repeal the Act. Let them look at the difficulties prevailing to-day in Ireland, and which have arisen from the country being forced into a union. Do they want to establish another Ireland in British America? And let me ask this question of the people of England: If Ireland were where Nova Scotia is, how long could she be held? Not an hour. The people of Ireland, I believe, are struggling not so much to get rid of British authority as to obtain a repeal of the Union, and to have their own Parliament restored.

We may look at Poland partitioned off against her will, and then turning to Hungary overrun by Austria, I would ask you to allow Kossuth to plead his country's wrongs. We may look at Mexico, overrun by a foreign power which placed Maximilian in a high position, and we will see that man carried out of the land which he ruled, a corpse. The people of England must not expect that the Anglo-Saxon race of Nova Scotia will be less tenacious of their rights and privileges than are the Celts of Ireland, or the people of any of the other countries which I have named. What we want is to have our institutions placed in the position in which they have been, and then we will be truly loyal,—I do not say that we will not be truly loyal if we do not get them restored, but there is not the shadow of a shade of doubt that we will be so if our request is heard. It is an entirely mistaken policy to annex a small country like Nova Scotia to a large country like Canada for the purpose of giving the latter relief from her political difficulties. If the position were reversed the smaller colony might be relieved by the annexation, but under other circumstances the smaller colony is sure to have its influence swamped. If a coach and six be fastened in the mud, and a light carriage be attached for the purpose of assisting it, the whole will become fixed, although the coach and six could get the light vehicle out of the difficulty with ease. So surely as they hold

us in the Act of Confederation the whole will be overthrown, and that is a strong reason why we should get repeal. I would ask what right have the people of England to sacrifice us who have always been loyal for the benefit of a people who have not been so? I deny the justice of such a proceeding. Our people, as I have said, have always been loyal, and they will remain so if their institutions are left to them, but we think it a hardship that our interests should be sacrificed in order that these fellows in Canada may be kept in order.

The Act was passed against our remonstrances—I ask if that was British? Is it constitutional that our rights and liberties should be taken away without a hearing? The most contemptible sheep thief within the realm obtains a hearing before he is deprived of his liberty, and are we to be treated worse than a sheep thief would be? I believe not; it is one of the beauties of British law that no man can be condemned unheard. Among the reasons given for the great change that has been forced upon us, was the assertion that it was necessary for us to confederate for defensive purposes. But will this paper confederation shorten the line which separates us from the American republic? Can it produce a dollar more for defence than we would have had otherwise, without increased taxation? Will it bring a man more into the field than we would have had otherwise? The argument in favor of uniting for defence falls to the ground as soon as it is touched. Then we were told we must confederate in order to regulate our Currency, and upon that point I heard one of the delegates expatiate: he told us who the delegates to Charlottetown were, and what great qualifications they possessed, and then said that when they got to Prince Edward Island the whole five of them were unable to count their passage money! O mockery of mockeries! Five men who could not count their passage money to Prince Edward Island, chosen to frame a new Constitution for British North America! And that was one of reasons advanced by one of our "leading minds" in support of Union. In conclusion, Mr. Speaker, we are asking the Commons of England to repeal this Act because it has created a feeling of distrust in the breast of every Nova Scotian, and by repealing it they will show to the world that they are willing to do justice to the meanest subject who can show a cause of just complaint. If our request be granted our people will be peaceable and contented. It is because they wish to remain peaceable and contented within the British Dominions that we ask for Repeal, and we will continue to ask until it is granted. I want to see every man on these benches voting for these resolutions—helping to restore the Constitution of this country. I want every man in this Assembly, and every man throughout the length and breadth of Nova Scotia to feel as warmly and earnestly on the subject as I feel, for I tell you that if I had a thousand voices, yea ten thousand voices, and could raise them all at once, I would shout **Repeal! REPEAL!! REPEAL!!!** now and forever.

# SPEECH OF MR. SMITH.

Mr. SMITH said:—I feel it to be a duty which I owe to my constituents to state frankly my opinions on the question which is now agitating the minds of the people of this Province. In doing so I shall endeavor to adopt that temperate and dispassionate style of address, which I believe is the best adapted on the floors of any Legislature to attract the attention of the gentlemen who are addressed, and to recommend itself to the judgment of every one sitting on these benches. I regret very much, that in the discussion of this question, every gentleman who addresses the House is necessarily constrained to attack the leader of the Opposition, who has advanced the only arguments on his side of the question, and if in the remarks which I am about to make, I am obliged to animadvert strongly upon some of the observations which have fallen from him, I trust that he will believe that I do so with the most earnest desire to avoid anything like personal re- crimination. But sir, every gentleman on these benches has a solemn duty to perform in the interests of the people who have elected him to represent them. This is a most important crisis in the history of Nova Scotia. Whether for weal or for woe the people of this country are now called upon to offer a remonstrance against a union which, in defiance of their wishes, has confederated them with Canada, and has jeopardized, as they believe, the prosperity and happiness of their country. When the scheme was first brought before the public in a substantial shape, I gave to it the calmest and most dispassionate consideration that it was in my power to bestow upon it, and came to the conclusion that if the people of the country consented to allow their interests to be bartered away by that measure, then they had much less intelligence and spirit than I imagined they possessed. Under these circumstances I deemed it to be my duty, casting aside my own feelings and severing many associations, to come forward and assume an independent stand, and advocate the interests of the people of this country. I felt that the scheme in itself did not ensure "a just provision" for the interests of Nova Scotia; and I intend addressing the House and country, and giving to them, in as concise a form as is possible, the reasons why I conceive the measure to be most disastrous to the dearest interests of the people. First of all, there was no exigency in the position of this country that required it to be confederated in the manner in which it has been. It must be apparent to every one that the representation which that scheme gives to the people of this country places them in a painfully humiliating position, and casts them, perfectly impotent and helpless, at the feet of an alien majority. I felt, however true this might be, that it was impossible to apply any other principle than that of population in the construction of the popular branch, yet some provision should at least be made to guard the interests of this country in the upper branch—in the Senate of the General Parliament.

We have heard a good deal about the Constitution of the United States in this debate.

The hon. member for Inverness has cast many aspersions upon democratic and republican institutions, and however ready I am to admit that the constitution of Great Britain is far superior to that of the American Republic, yet I very much regret that the gentlemen who favored the British North America Act did not look more closely than they did into the system of the United States, which preserves at all events one admirable principle, and that is, the one which gives the smallest State an equal representation in the Senate Chamber with the greatest State. It may not be known to every gentleman around me that although in the Lower House the principle of population regulates the representation, yet in the Upper House the most insignificant State has an equal voice with the largest and most populous. Why, sir, the wise and sagacious men who framed that constitution did not act in the trifling manner which appears to have been the case with those public men who framed the constitution which we are now asked to live under. Not one of the smallest of the thirteen States would have gone into the Union unless such a provision for their rights had been assured them. We are not only in a powerless minority in the lower branch, but also in the Upper House—nothing has been done to protect the interests of the smaller member of the Confederacy. I entertain likewise very strong convictions that when any body of men attempt to change the constitution of a country like this, or undertake to sweep away the independence of our Legislature, to trifle as they have done with the feelings of our people,—that they should at least have had the modesty to say to the people: "Are you willing to have these changes brought about?" They should at least have had the consideration to have asked the people of this country, will you permit us thus to deal with your dearest interests, and sweep you away into the hands of a Canadian majority? Not only did they not do this, but they coolly and unhesitatingly set at defiance and scoffed contemptuously at the wishes of the people of this country. Is it not a matter of history with respect to this Confederation that the people of Nova Scotia were not only opposed to the scheme itself, but to the passage of any such measure without its having been first submitted to them at the polls.

When the hon. member for Inverness scouted the idea of leaving a question of such a character to the people, he endeavored to bring forward some arguments in support of his position. He boasted of the absurdity of leaving questions of this kind to the people at the polls as manifest from the whole of British authority. He asked the House whether Sir Robert Peel, a man whom he eulogized in the most expressive terms, and the potency of whose colossal genius has left its mark upon the history of the world, was not a good authority on constitutional questions, and proceeded to assert that that statesman passed the Catholic Emancipation Bill without leaving it to the people. But his case was no similitude here. I am free to admit that Catholic emancipation was an alteration of the constitution, but I tell the hon.



gentleman it was not an overthrow of the constitution. It was the passage of an act which the very Parliament who passed it might have afterwards repealed. It was not an infringement of the rights and the privileges of the British public—it was done with their consent, in obedience to the spread of more expansive and generous ideas, which taught them that the time had come to strike down bigotry and intolerance, and open the door to Her Majesty's Catholic subjects to come in and enjoy the same political privileges which were extended to their Protestant brethren. In the case of ourselves, the rights and privileges which we had so long enjoyed were swept away at one "fell swoop."

The hon. gentleman next referred to the abolition of the Corn Laws. There is no more similitude here than in the previous case. That question was before the people for years, and we know that British statesmen occupy a very different position from the public men of this country. Invariably the leading public men of England, after a session of Parliament, go down to their constituents and address them upon any question which may be agitating the public mind; they take every pains to ascertain the views of their constituents, and communicate their own. The repeal of the Corn Laws was a question with which the British people were perfectly familiar. But is it to be said that because Sir Robert Peel refused to submit a question of this kind to the people—because he held such a course to be unconstitutional, therefore it is a precedent for the passage of the Confederation Act? Is it to be a precedent for making, not merely a material change in, but actually *destroying*, a constitution? I hold that responsible government has been *destroyed*, as far as the people are concerned, by the character of our representation at Ottawa. Suppose every member from the Maritime Provinces was to oppose any measure which the government of Canada might think proper to introduce affecting the interests of Nova Scotia, and that that measure was nevertheless passed; the people of Nova Scotia might feel that an act had been carried outraging their feelings and injurious to their peculiar institutions,—but at no election in the Province could the men who carried that obnoxious measure be responsible to anybody. They would be responsible only to the Canadian people, and not to the electors of Nova Scotia whose interests would be peculiarly affected. Therefore I say that under the circumstances Nova Scotia, standing as she does numerically inferior in both branches of the General Parliament, occupies a position not only humiliating, but positively dangerous.

We have been told time and again by the press in the interest of the Confederate party that Nova Scotia would exercise a controlling influence in the House of Commons in consequence of the antagonism existing between the Upper and Lower Canadians; but what has been the result? I laughed at the idea when I heard it for the first time, because it was so palpable to any one that had a mind to think that the moment Canadian interests

were affected Upper and Lower Canada would unite as one. Has not that actually happened? Take the tariff question, for instance. We find all the representatives from the Maritime Provinces except three voting against that tariff, and what was the result? You find Sir John A. MacDonald leading up the Upper Canadians, and Mr. Cartier the Lower Canadians, to pass the tariff despite the opposition of the Maritime Provinces. The toxin of alarm has only to be sounded, and resistance is in vain! We have, however, our Local Legislature, and it is only here that we can speak effectively; and I hope and trust when our voices have been heard that the Canadians will see that there is spirit enough left in the people of Nova Scotia to nerve them to every effort to shake themselves free forever from this hated thralldom.

It has been urged by the hon. member for Inverness that it is absurd for any one acquainted with constitutional law to declare that the people should be consulted at the polls. I contend it to be constitutional, and I intend to argue it from speeches and letters written by two gentlemen, one of whom assisted in transferring this country over to the Canadians. I will now first call your attention to what occurred in the House of Commons, when this bill was introduced. You will recollect that Mr. Bright, in the interest of the people of this country, stood forth for their rights, and asked the House not to press the measure; he wished action to be suspended until the next general election, when the people would pass upon the scheme. When he told that august body of men that the people of this country had never had an opportunity of passing upon this measure, what was said by Mr. Watkin—the gentleman who had been in constant communication with the Delegates? Did he treat that remark of Mr. Bright as trifling? Did he say that it was not necessary that the people of this country should not be consulted? No, he felt the force and efficacy of this argument; and what did he do? I take it from the speech of the late leader of the Government (Dr. Tupper) previous to the general election, in which he describes the scene between himself and Mr. Watkin. "Mr. Watkin," he said, "came to me and asked me, what is your answer to Mr. Bright?" If Mr. Watkin thought there was no force in the argument of Mr. Bright he would not have referred to the hon. member for Cumberland. The answer has been sent broadcast over the province of Nova Scotia; it was untrue; but on whose shoulders the falsehood rests I will not undertake to declare. That a gentleman occupying the proud position of Mr. Watkin would perpetrate a statement which everybody knows to be as false as the fabric of a vision, seems almost incredible. We find that very Parliament refusing to coerce Newfoundland and P. E. Island into that Union; and why? Because the people of those Colonies were opposed to the measure, and therefore in common justice, and in accordance with constitutional usage they refused to draw them into the operation of this Act. We find the same principle observed with reference to this province. The preamble of

Canada would actually happen, for initiatives from three voting the result? leading up Cartier the tariff despite the Provinces be soured, have, how? it is only vely; and I have been e that there ple of Nova port to shake thral-

member for any one ac- to declare sulted at the tutional, and s and letters of whom as- ily over to the your atten- use of Com- duced. You at the interest od forth for not to press be suspended hen the peo- e. When he at the peo- opportuni- e, what was eaman who eation with at remark of e say that it ople of this ed? No, he argument; it from the Government general elec- ene between r. Watkin," me, what is f Mr. Wat- in the argu- have refer- Cumberland. east over the untrue; but I reate I will a gentleman Mr. Watkin hich every- the fabric of e. We find to coerce ad into that ple of those easure, and in accord- they refused of this Act. ved with re- preamble of

the Act shows that the Parliament believed the people of Nova Scotia were actually in favour of the Union. Therefore I believe if the statesmen of Great Britain had not been egregiously deceived, they would not have placed on the records of the country an Act taking away the rights and privileges of the free people of Nova Scotia.

I find the hon. member for Cumberland entertaining the same opinion that I hold, and I believe if we could understand the real feelings of the hon. member for Inverness, you would find him dissatisfied with the manner in which the scheme was passed. We find this feeling cropping out in one of the amendments moved by the hon. member, where he says "however desirable it may have been to leave the question to the people," but occupying the position which he does, it would not have done for him to have made any greater admission. Are there not gentlemen here who remember the constitutional questions that arose in 1861? Two or three certainly will recollect when the present Equity Judge and Dr. Tupper urged upon Earl of Mulgrave to dissolve the Legislature because the people were opposed to the government. Petition after petition was brought into the House in favour of a dissolution, although the government had a majority in this body. The hon. member for Cumberland expressly stated that it was unconstitutional and wrong for any government to bring down to this House an important measure when it was evident that they were in a minority in the country. In Jan. 1861 Dr. Tupper wrote a letter to the Earl of Mulgrave, pressing him to dissolve the House, in which he says:—"Several large and influential constituencies have condemned the present government, and have prayed your Excellency for that redress which, as the Representative of Her Majesty, you are empowered to afford when imperatively demanded, in order to preserve that *fundamental principle of the constitution of this Colony, which requires that the government shall be conducted in accordance with the well understood wishes of the people.*"

That is not all. Writing to the Duke of Newcastle, the then Colonial Secretary, the hon. gentleman said:

"Having proved to His Excellency that he has a Ministry around him acting in defiance of the well-understood wishes of the people, I consider that there is but one course that can justly be pursued. And, sir, if the people of this country are treated with contempt, if they are deprived of the true constitutional mode of expressing their opinion, *there is but one resort left to them.* Then the constitutional opposition in this House would be driven to assume a duty which they have never yet been called upon to assume—a course shown by Earl Grey to be open to us. Sir, the moment so flagrant a violation of our rights was permitted as the continuance in power of a government after it had been shewn by the clearest evidence that it had been shorn of its strength, not only the people of Nova Scotia, but of British North America, and wherever free institutions and the principles of liberty are upheld, would rise and vindicate their rights by that

determined struggle for freedom, which must ever ensue when an attempt is made to put down the liberties of freemen."

Again he says:—

"Destitute of representation in the Parliament of Britain, with our most eminent men systematically excluded from the highest position in their own country, and for which their colonial experience and training eminently fits them, it is impossible that the free spirit of the inhabitants of British North America can fail soon to be aroused to the necessity of asserting their undoubted right to have their country governed in accordance with the *well understood wishes of the people.*"

Now I ask the hon. member for Inverness to explain why it should be constitutional to appeal to the people under the circumstances in question, and unconstitutional to do so in reference to a measure far transcending in importance any question ever before submitted in this country.

The hon. member for Inverness said he laughed at the idea of referring to American institutions as a guide for the country. Now we find the hon. member for Cumberland making use of expressions like these in the same letter which he addressed to the Duke of Newcastle:—

"The people of this Province have been content, my Lord, to pay a salary of fifteen thousand dollars a year to a Governor sent from England, besides a large additional sum to keep up his establishment, while the State of Maine, with twice our population, has the *privilege of electing that officer from among her people, and pay him fifteen thousand dollars.*"

The hon. gentleman has endeavored to ridicule the legal knowledge evidenced by the Attorney General. He has treated the observations made with reference to the right of the British Parliament to pass any Act touching the constitution of this country as perfectly futile. He declares "that the British Parliament, whenever they thought proper, have changed the constitution of these colonies. He has referred to Australia and Jamaica, but I ask him if the constitution in those colonies was not changed in accordance with the wishes of the people? Was it not done in Jamaica when it became necessary for Imperial interests to destroy the constitution after a rebellion and bloodshed? Was it not done in accordance with the wishes of the people? and therefore, there is no parallel in the cases whatever. We find that this country occupies a very different position from Great Britain—the constitution of the latter has grown to maturity by degrees—it has reached its present position by precedent and custom with unlimited power; but a constitution like ours is of a very different character, and therefore the analogy which he has drawn from the repeal of the Corn Laws and the Catholic Emancipation is without application to the case we are now considering. Our constitution is based upon that charter which the Hon. Attorney General referred to, and although it may have been materially changed by despatches from the Colonial Secretary—although it may be altered by the action of this Parliament—yet having a

charter from the Crown, limiting our authority, our rights and privileges cannot be taken away from us without the consent of the people.

The hon. member has also referred to the question of mines and minerals, which have for a long time occupied the attention of the people of this country. He has told you that before that question was settled, the people of Nova Scotia had to resort to the Imperial Parliament, and there obtain a surrender of their rights. I have under my hand the decision of learned English Counsel, taken at the instance of this House, where the principle laid down by the Attorney General is fairly established, that this country belonged to the Crown—that it was not held in trust for the people of Nova Scotia, but purely in Sovereignty. The hon. member for Inverness knows the decision to which I refer.

Mr. BLANCHARD.—I never said a word about the question of Mines and Minerals; I only referred to the Civil List.

Mr. SMITH.—The principle, however, is the same in both cases. The decision in question reads thus:—

"In the sense in which we understand the first question, we are of opinion that the Crown does not hold the mines and minerals of the Province of Nova Scotia for the benefit of its subjects there settled, for we think that the mines and minerals in question, were so absolutely vested in the Sovereign, as that he might dispose of them in such manner as he should think fit, without any limit to his discretion. We therefore are of opinion, that the grant of all the mines and minerals to an individual for sixty years, was not an undue exercise of the prerogative."

They state thirdly: "We see no reason for thinking that such warrant, or any grant, or lease made, or to be made under its authority, would be subject to be revoked *quia improvide emanavit*, or any other cause."

In conclusion they state: "Our opinion on the whole case rests upon the principle that the mines and minerals in question belonged to the Crown in absolute and uncontrolled dominion and property, and that they were therefore disposable at the pleasure of the Crown. It would be vain to attempt to cite cases upon the several questions put to us, but upon the general principle on which our opinion is founded, the observations of Lord Mansfield, in *Campbell vs. Hall*, 1st Cowper, 204, may be referred to."

Now it will be seen that these legal gentlemen deliberately came to the conclusion that this country is held as the exclusive property of the Crown. They say the Crown has passed a charter, granting to this country certain rights, and it is unconstitutional, under that charter, for the Parliament of England to overthrow our constitution without the consent of the people.

The hon. member made another reference to shew the power of Parliament, turning our attention to the case of Cape Breton. Every one knows that that case bears not the slightest resemblance to the position which we occupy. That country had no independent Parliament; the views of its people were not represented in a legislature of their own. Consequently, when the hon. member produ-

ces such a case, he must be perfectly aware that his ground is untenable. He also made several references to the United States, and one would suppose that he had, all of a sudden, become perfectly horrified at democratic institutions. He told the Attorney General that he had always known him as "the Tory of Tories." I have always heard the honorable leader of the opposition spoken of as being associated with the democratic party of this country. I have always understood that he owes the position which he occupies, and the "flourishing practice" to which he referred, to the influence of that element, which he was seeking to advance, and which professed to regard most highly the rights and interests of the people.

The hon. gentleman told us with what admiration he views "the wealth and intelligence" of the metropolis. We have heard *ad nauseam* about the wealth and intelligence of Halifax. Is all the wealth and intelligence of Nova Scotia concentrated in the metropolis? I can look around the streets of Halifax and point to men of both wealth and intelligence who are arrayed with us in the ranks of the anti-confederate party;—therefore it is idle for the hon. member to boast that he has the wealth and intelligence of the country on his side. However much we may acknowledge the influence of the metropolis, yet throughout Nova Scotia there are men of as good character and as high intelligence to be found even among the laboring classes as many who roll in their carriages through the streets of Halifax. The men even of that class, who bring to the subject sound intelligence and practical common sense are as capable as he is of knowing when their rights are trampled on, or the prosperity of the country jeopardized, and is it to be said that these men, because the wealth and intelligence of the city are arrayed against them, are not to be consulted on a change of the constitution? No sir, when I look around these benches I see a good indication of where the intelligence of the country is, and when I know the gentlemen who reflect here the opinions of the people of Nova Scotia, I wonder to hear the hon. member for Inverness, occupying the position which he does, as the solitary voice to be raised in the advocacy of the principles of the confederate party, undertaking to say that that is a great party. I know not in what it is great, unless it is because it represents the wealth and intelligence of Halifax? There are men in this community whom I respect, but when the interests of the people come into contact with the influence of Halifax, I feel it is time that their representatives should stand up and advocate the interests and propound the principles which we do to-day: that before the constitution is changed or overturned it is incumbent and necessary to consult the feelings of the people. Does not everybody know that the question never was laid before the people in a tangible shape, until the last election, although it may have been discussed as a purely theoretical question through the press? I undertake to say that previous to the passage of the Quebec Scheme, there were not a hundred men in Nova Scotia who could tell

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you what confederation meant, in reference to the interests of the Province. I believe in my heart, having an abiding faith and confidence in the British public, and believing England to be governed by able and honorable men, that when they come to know the position of our country, and the views of its representatives, and when they are told that they have acted on false information, no matter how valuable they may regard the union in the light of Imperial interests, the British Parliament will acknowledge that a wrong has been done, and will resolve to meet out to us the same measure of justice and fair play which has been shown to Prince Edward Island and Newfoundland.

On what principle can the British Government keep Nova Scotia in this Confederation? If she is to be united against her wishes, why should not Newfoundland be dragged in? It would be doubly insulting, when we represent our views respectfully to England, that she should coerce us into a Union simply calculated to alienate our feelings towards the mother country. It would be unfair in me to do more than lay my views briefly before the House after the length of time that this debate has occupied. The hon. member who preceded me has left me but little to say, having met many of the arguments which I was prepared to answer. I will not therefore travel over matters with which every member must be familiar. I would say, however, to the hon. member for Inverness, that if he propounds, for a moment, the idea that the people of this country intend to depart from the position they have taken; if he believes for an instant that we are misrepresenting the views of our constituents, he is greatly mistaken. It was said in the House of Commons that a reaction had taken place in this country in favor of Confederation. That is not the case. I have conversed with my constituents up to a recent period, and I can assure you that if it were possible to intensify the disgust of the people at this Union which has been forced on us, that disgust has been increased and intensified. The people have seen, sir, since the passage of the Act, during the late Session, that the interests of Nova Scotia are in the hands of men who, however faithful in the discharge of their duties, are unable to resist successfully the majority that would trample on their rights. One of the amendments says that the Act has not been long enough in operation to judge fairly of its results. That reminds me of looking the stable door after the steed has been stolen; it is too late to seek for relief when the Act has become irrevocable. Now is the time for the people to act, and nobly are they doing so. Nobly will they continue to act—faithfully and loyally—to the Crown, but with the most solemn and serious earnestness that ever affected the minds of a high-spirited people. They are determined to resist at every sacrifice but that of their allegiance. Is it to be wondered at that such is the opposition to the scheme? Is there a man here who, in the silence of his own chamber, has not had his blood boiled by the remembrance of the manner in which he and his countrymen has been treated?

True it is that one boon has been extended to Nova Scotia by this Confederation Act—the power to tax ourselves. Precious blessing! Ungrateful Nova Scotians! Why do you not go down on your marrow bones, and give thanks for this beneficence? Ah, by the way there is another boon: we get 80 cents a head to console us for our position. When I contrast this pittance with the revenues which have been taken from us, I am reminded of the man who, after stealing a pig, gave away the tail in charity to satisfy his conscience. It was said that the delegates were going to England to ask the British Government to adopt republican institutions, but I think that it would be hard for the hon. member to shew the Act constitutional and right by either British or republican authorities. In conclusion, Mr. Speaker, I have to say that I sincerely desire a repeal of the union, and I trust that the gentlemen, whoever they may be, who are entrusted with the delicate and responsible duty of going to the authorities of England, and of placing the case of our people before them, asking them under all the circumstances to restore us to our original position, and to repeal so much of the Act as affects Nova Scotia, will do their duty faithfully and with a due sense of the responsibility resting upon them. I well know that the eyes of Nova Scotia will be upon them, the heart of the country is with them, the prayers of thousands will ascend to Heaven for the accomplishment of their object. I ask the delegates to go firmly and independently, and to tell our Sovereign that the people of this country are true and faithful to her person and her throne,—that we still cherish and revere the mother country around which so many historic recollections cluster,—that there is not a Christian mother within the land who does not teach her child to hush the name of our Gracious Sovereign with admiration and respect; but that nothing will satisfy the people of this country until they are placed in the position which their honor and interests require by the repeal of an Act passed in defiance of their wishes, and in derogation of their rights.

The debate was adjourned.

Mr. BLANCHARD called attention of the Government to the necessity of giving immediate relief to the distressed fishermen in Inverness County.

The House adjourned.

THURSDAY, Feb. 13, 1866.

The House met at 3 o'clock.

Hon. PROV. SECRETARY laid on the table a memorial on the subject of the Horticultural Society; also a money petition.

Mr. CAMPBELL presented a money petition from Rev. J. Chisholm and others, for aid for certain distressed fishermen.

Dr. MURRAY presented a petition from Dr. R. Munro and overseers of the poor in New Glasgow asking for the return of certain moneys expended; also from the overseers of the poor of Section No. 12 of the Eastern District of Pictou, asking for the return of moneys expended on transient paupers; also, from trustees of New Glasgow School Section with regard to the school tax.

Hon. Mr. FENICUSON presented a petition from Low Point, O. B., in reference to a grant of land.

Dr. BROWN introduced a bill to compel the Windsor and Annapolis Railway Company to pay certain dyke rates.

Mr. PINNO introduced a bill to incorporate the Scotia Coal Company.

Mr. KIDSTON presented a petition asking aid for a bridge; also, one from persons at the head of Bedeque River for the same purpose.

Mr. BLANCHARD introduced Acts to amend the Act relating to the Blue Lead Mining Co., the Dominion Gold Mining Co., and the Provincial Gold Mining Co.

Mr. SMITH presented a petition praying that no substantial change be made in the School Act.

Mr. BLANCHARD presented a petition in reference to a ferry at Malagaash.

Mr. WHITS called attention to the distress that prevailed among the fishermen, and proposed a resolution in connection with the distribution of moneys for their relief. He was desirous that no time should be lost in moving in this matter, and that the moneys now lying idle in the hands of the Government and the City Committee should be distributed without delay.

Mr. NORTUP explained that it would be better to wait before passing the resolution, as a committee was now engaged on the part of the city in preparing a report on the subject.

After some remarks on the subject, Mr. White agreed to withdraw his resolution, and the following, moved by Mr. Blanchard, was substituted:—"Resolved that a Committee be appointed to take charge of the subject of the distressed fishermen for the Province of Nova Scotia, and to confer with the government and the Committee appointed on the same subject in the City of Halifax, with reference to the distribution of the moneys received by the Mayor, for the relief of distressed fishermen."

Mr. NORTUP mentioned that the report current in some Canadian papers that the Mayor had telegraphed that no more assistance was wanted, was incorrect.

The following Committee was appointed:—Ryerson, Blanchard, Kirk, Freeman, Ross, White, Doucette, Hooper, DesBrisay.

Mr. KIDSTON presented a petition of J. McInnes and others, praying aid for a road; also, one from Murdoch McLeilan and others for aid for a road to St. Anne's harbour; also from Ingonishe and St. Anne's in reference to a breakwater at McNeill's harbour, on which a considerable sum of money has already been expended.

Mr. TROOP presented a petition in reference to a bridge.

Mr. BLANCHARD asked the government whether the rumour that was current, that it was the intention to adjourn the House during the next week until the summer, was correct. It was but right that the House and country should know whether it was proposed to go on with the public business, after the resolutions now before them had been disposed of.

Hon. ATTY. GENERAL replied that the hon.

gentlemen had been correctly informed; it was the intention of the government to propose an adjournment after the resolutions had been passed. The term of the adjournment was not yet determined.

#### SPEECH OF MR. NORTUP.

Mr. NORTUP then addressed the House as follows:—I rise for the first time to address this House with a good deal of embarrassment, and I trust if I shall say anything which is not strictly within parliamentary rule that I may be pardoned. I feel that the question now before this Legislature is one of rare importance to the people of this country; every other question heretofore under consideration in comparison with it sinks into insignificance. Wherever I look I see nothing but doubt and uncertainty as to the future. I know men who have spent many years in accumulating property who are now anxious to learn what the future condition of this country will be before engaging largely in enterprise as they have been accustomed to do. Under these circumstances, I feel that every gentleman in this House occupies a position of great responsibility—a responsibility which he must not and cannot avoid. As far as I am myself concerned I shall endeavor to discharge my duty to my constituents and to my country as faithfully as I can. The hon. and learned leader of the Opposition has referred to the case of Jamaica as analogous to our own, but he must be aware that when the bill in connection with that Island for the purpose of doing away with its constitution was introduced into the House of Commons it was stated that if any one member had got up in the Legislature of the colony, and objected to the change in the constitution, it would not be passed. Compare now the condition of the two countries. In Jamaica government had become almost impossible, the people were cutting each other's throats. On the other hand Nova Scotia is a wealthy and prosperous Province, occupied by a peaceable and contented people, capable of exercising all the rights and privileges of freemen. Can the hon. gentleman then draw a parallel between Nova Scotia and Jamaica? I think not. The hon. gentleman then went on to tell us that we should learn something about constitutional law. I do not pretend to be conversant with that subject, and I trust if ever I do I shall never use my knowledge as he and friends have used theirs, to sweep away the constitutional rights of the people. There is such a thing as constitutional usage, and, if these gentlemen had regarded it, Nova Scotia would not be in the position she occupies today. A thousand years ago, in the days of the Heptarchy, the king took his seat, and the barons sat on the platform, with the people all around them. There the barons discussed the questions of the day, and then the herald put it to the people whether they would have a change or not. What was done six years ago, when the king was driven out of Naples? The people had been striving for a long time for liberty, and when they had driven this tyrant out, what was done? The question of



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connection with the kingdom of Sardinia was submitted to the people at the polls. Then, when Venice was handed over to Italy, what was done? The question was decided by the people at the polls. The United States has often been referred to by the hon. Judge in Equity for precedents,—what happened in Roxbury, in Massachusetts, a year or so ago? Roxbury had for some time enjoyed a corporation of its own; a bill was, however, passed annexing the city to Boston, and it came before the Governor. He asked if the people of Roxbury had expressed an opinion on the subject. The reply was in the negative, and he accordingly refused to assent to the measure. Again, in Germany, we saw that the States which were conquered by Prussia were consulted in the formation of their constitution, and were allowed to vote themselves into the North German Confederation. Take again the case of St. Thomas. The Danish Government have sold the Island to the United States, and the other day the question was submitted to the inhabitants at the polls, and the whole people, with a few exceptions, voted in favor of the transfer. Is it fair, then, that the people of Nova Scotia should be treated with less consideration than Englishmen, were a thousand years ago—than Venetians or Neapolitans were more recently, or the people of St. Thomas are to-day? Can the hon. gentleman justify the course pursued by himself and friends in view of these precedents? Actions speak louder than words, and these gentlemen told us by their actions that Nova Scotians were not equal in intelligence to the people I referred to. I consider that a more tyrannical act was never committed on any people than the transfer of the rights and revenues of Nova Scotia to the control of Canada.

Now what has been Dr. Tupper's public career from its commencement? He went to the country first on the cry of Railways—that the county would be ruined by their construction. But when he came to this House he ran perfectly mad in building Railways. Next he got up the Retrenchment scheme, by which he pledged himself most solemnly to save \$79,000 in the expenses of the Government; but the moment he got in power, he indulged in every species of extravagance, and ran the country fearfully into debt, increasing the public expenditure by \$141,000. His course throughout cannot be characterized otherwise than as a political swindle. As respects Mr. Archibald, I confess I am sorry to be obliged to feel towards him as I do. I supported him for many years, and I remember when you, Mr. Speaker, opposed him in Colchester. I fought against you; but where is he to-day? He has fled to Canada amid the execrations of his people, and there holds a high position in violation of all constitutional usage, and wielding the patronage of this country in a most unconstitutional manner. You, sir, on the other hand, fought for your country's rights with a fidelity that is honourable to you, and I am proud to see you occupying the Chair of this House with so much dignity and ability. If Mr. Archibald had adhered to his friends, he would never have been driven out of Colchester; but when he turned traitor to the people, he was

beaten by the Colchester boy despite all the influence and patronage in his hands. I do not wish to say anything harsh about gentlemen who sat in the last House, but it is impossible not to feel indignant when one thinks of their unfaithfulness to their country. Dr. Tupp: it is reported, it to be made Railway Commissioner, at a large salary. Mr. Archibald has been provided for, and if we look to New Brunswick, we find Mr. Tilley provided for. These gentlemen have salaries of \$5000 a year. Mr. Gray has a snug place of \$4000, in connection with revising the laws. Mr. McMillan, the only New Brunswick who voted with Mr. Tilley on the Tariff, has been made Post Office Inspector. Therefore, you see that these gentlemen take very good care of their friends, and I think the same remarks apply to the gentlemen who lately administered the government of this country. I remember talking to one of the members of the late House, and asking him "what about Confederation?" "I am the father of the House," was the reply. "I will keep them all right." But when the vote was taken on the question, that gentleman was found voting against his country, and now he sits in the other end of the building. Another gentleman told me, "I am going to England, and Tupper has promised not to bring up the question in my absence;" but he too voted for the measure, and sits in the other branch of the Legislature. I do not believe that one of those gentlemen who thus changed their sides could get a constituency to-morrow in Nova Scotia. I remember reading somewhere of an English politician whom the Government wanted to buy, and what was his answer? "I can earn sixpence a day, and I can live on it." If we had more men of that stamp in the last House, this country would not have been sold. We now find, as I have said, the Home Secretary administering the patronage of this Province, although in his present position he is without a constituency and without the confidence of his country. That is a flagrant insult to the people of Nova Scotia. I have been told of a gentleman who had been doing the duties of the Post Master at Tatamagouche, but instead of appointing him permanently, Mr. Archibald had a Confederate appointed in his place. A great deal has been said about New Brunswick, but what is the feeling there now? I have been told by a person who understands the feeling of that province that four out of five would be returned against Confederation if an election were held there to-morrow.

Much has been said about persons holding annexation proclivities, and in this connection let me read an extract from the speech of the Marquis of Normanby when the Union Act was under consideration in the House of Lords. He said:—

"If the North American Colonies felt themselves able to stand alone, and showed their anxiety to form themselves into an independent country, or even to amalgamate with the United States, he did not think it would be wise to resist that desire."

I ask this House and country if, after a declaration of that kind from the noble Mar-

quis of Normanby, annexation did not become an open question in this country. He is a nobleman who was formerly Lieutenant Governor of this Province, and no one knows the loyalty of the people better than he does. He was in this Province when the Prince of Wales visited it. Never was the loyalty of a people exhibited more clearly than then; there was not an old woman who had a sixpence but invested it in a union jack and hung it out of the window. Notwithstanding this, the Marquis said in substance—We will annex you to the Canadas, and if you don't like it you can go to the United States. I beg to state, whilst speaking of this question, that I have no ill feeling against the people of Canada; I recognize them as fellow British subjects,—but I feel that we should be allowed to govern ourselves without the interference of others, collecting and disbursing our own revenues.

Before passing from the speech of the Marquis of Normanby let me say that such expressions as he used might not have caused surprise if they had been promulgated by Goldwin Smith or any of his school, and it is certainly noteworthy that no contradiction was given to these statements in either House, and therefore we may accept them as the recognized opinions of the British Parliament. Now, the hon. member for Inverness spoke of Falmouth. My great grandfather, the person for whom I was named, left the old American States on account of his loyalist principles, bringing with him his slaves and household goods, and settled in that township, which he represented in this House, being elected to the first representative Parliament, and sat with some of your ancestors, Mr. Speaker, in the Legislature for the rest of his life, which was twenty-five years. Yet I am to be told that if I don't like Confederation I can go to the United States.

I ask permission to read to the House an extract from a paper expressing the opinion of Mr. McDougall, who is now Commissioner of Public Works in the Dominion Government:—

"In the Canadian Parliament of 1861 Mr. McDougall stated that if the evils consequent upon the union of Upper and Lower Canada are not remedied, an alliance will be made between Upper Canada and the Northern States."

I call particular attention to this speech, and ask what would be said if similar expressions were used here? Now Mr. McDougall has C. B. attached to his name, and occupies an important position in the Government of Canada as one of the Ministry. We know, too, something about Mr. Howland and Monsieur Cartier. The latter found it very convenient to lay his gun down when he was surrounded by British troops. Now, because we are desirous of getting rid of a tyrannical act, we are to be called annexationists. Mr. McGee has a great deal to say on this point, but I think it would better become him to hold his tongue. But many persons say, if we get Repeal we shall drift into the United States; but I have no fear of any such event, for Nova Scotia is able to stand alone if she gets rid of this detested

Confederation. All we want is to live and die under the British flag; but if we do not succeed in accomplishing Repeal, we shall see where this skeleton of a nation, as Mr. McGee calls it, will carry us. My belief is that this whole Confederation, if it continues to exist, will drift into the United States. Under Confederation they can call our people anywhere—to any part of the Dominion, on the Militia service—it may be to fight for the Great North West Territory. Now I wish to speak of a gentleman who has been placed in charge of our fisheries, light-houses, breakwaters, &c. I mean the Hon. Peter Mitchell. Mark you, that gentleman holds that position perfectly independent of the people of this Province. I do not know much about Mr. Mitchell: I daresay he is an honorable man, but I remember seeing the report of a trial that took place in Liverpool in which he was interested.

Mr. BRANCHARD—If gentlemen are to be allowed to introduce private affairs into this debate I would like to know it; I warn the hon. member, however, of the consequence.

Mr. NORTHRUP—Well, I do not wish to be unparliamentary in the least degree, and therefore I shall say nothing on the subject which I intended to refer to. It is well known, however, that Mr. Mitchell was very much interested in passing Confederation in New Brunswick, and very recently he paid a visit to his constituents. I believe they mustered not in very strong force, notwithstanding they got out every spavined horse and old waggon they could find to give him a reception, and what did he tell them? It will be remembered that the friends of Union said that capital was to flow in profusely, new markets were to be opened up, and the most glorious results follow; but what does Mr. Mitchell say? "Liberal ideas are marching on, and when the American markets are thrown open to our ships, and fair Reciprocity established, embracing a participation in the coasting trade, new life will be infused through our native country." The mountain had labored and brought forth this mouse. A small crumb of comfort indeed to the people of New Brunswick. What does he call liberal ideas? New Brunswick had, like Nova Scotia, a Government of its own, and could make such changes as would suit its exigencies, but now we have a written constitution controlled entirely by the people of Canada. I do not call this liberal. We were told by these gentlemen that we did not require Reciprocity—that we would have markets of our own—but Mr. Mitchell does not say so now. As respects Reciprocity, I believe I could show to the satisfaction of this House and of the country, that we would have had it before now but for Canada. I do not mean to say that we would have had a renewal of the old treaty, but the United States would be satisfied with putting on a small duty to meet their local taxes, and more than that we could not have expected. We now find New Brunswick grumbling exceedingly about this tariff, and yet the imposition of 15 per cent. tariff does not bear so heavily upon that Province as is the case with us, for the fact was that their ad valorem duties being twelve and a half per cent, and their

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Now, here I may say a word about taxation. I find, referring to 1866, that we imported from Canada 14,898 barrels flour. From the United States, flour and meal, 360,718 barrels, and 174,078 bushels of corn, which at the present rate of duty, would amount to \$107,587.30. The increase under the present tariff over the ten per cents of 1866 would be \$246,412. I take this year's importation as a fair index to our trade, because that trade was in that year—the last of Reciprocity—running in its natural channels. The duty collected that year on flour was \$28,685.75. I believe that this country will never be prosperous until we get Reciprocity back. Upon wine, under the Dominion tariff, ten cents a gallon is charged—just the same amount as on corn. One of the papers told us that we could warehouse corn free. An importer of corn can put it into a warehouse, and then he can grind into meal,—he pays a duty on the meal and all he gets is the bran free. That is an illustration of the results of this Confederation Act, which gives to the Canadians the meal and leaves us the bran. The list of free goods contains 274 articles, on any one of which the people of Nova Scotia would prefer paying a duty than on bread. Such as cabinets of antiquities, coins, gems, drawings, paintings, busts, &c. Then they were asked to protect our coal and to give our fishermen a bounty, but they refused, although it was well known that our coal trade was perfectly stagnant from the want of a market.

Is it surprising, in view of this state of things, that trade should stand still? Many persons have come to me, and said, we cannot pay you all we owe you, for bread is so high, and we must have it for our families. They ask, "what is the meaning of all this?" We had always plenty of bread before this. "Loyalty," they say, "is a very good thing, but it will not feed our children, and we cannot send them hungry to bed." That is the feeling throughout the country; the people are ready to do anything to get back their own institutions, but it will test their loyalty when starvation is staring them in the face. Then there is the increase in the rate of interest. The people who have money like to get the most they can for it, and I have heard of gentlemen who are preparing to call in mortgages in order to get a higher rate of interest, as soon as the usury laws are so far amended as to allow them to charge it. We have heard something said about giving bounties to fishermen, but how is the tariff affecting our West Indian business which is one of our principal branches of trade. The sugar duties must very materially interfere with that trade. Mr. Jones showed most elaborately, and in a manner that was creditable to himself and the constituency that elected him, at Ottawa, how it will operate against our fishermen, and interfere with commerce generally; but all he said was of no avail in the Canadian Parliament, for Mr. Redpath, and other Canadian refiners, wanted the tariff framed to suit their interests. It will be perceived, by the Canadian tariff, that sugars pay specific duties, which are graduated ac-

cording to quality, and it is well known that, in ascertaining the quality, frauds of every kind may be perpetrated. The proposal of Mr. Jones was to levy a specific duty of a cent per pound, and an ad valorem duty on the original cost. Let it be remembered, too, that notwithstanding this high tariff, the Finance Minister estimates a deficit for this year of from two to three millions.

The people of Canada are whiskey drinkers, while rum is the principal article in the nature of spirituous liquors consumed here. They want to introduce their article into this Province, and that is the reason why the tariff is arranged as it is. The tariff has raised the duty on rum to eighty cents, while that on whiskey is 60 cents, thus aiming another direct blow at the West India trade. A great deal has been said about the wealth of Canada; but there can be no doubt that \$20,000,000 of the debt which she takes into the Confederation was made up of the deficiencies of ten years when the revenues were inadequate to meet their expenditures. I remember hearing some years ago of one of the townships of Canada being advertised for sale to pay its debts, and I am afraid if we do not soon get out of this Confederation we shall be in the same position. A few words about county taxation. Take the county of Middlesex, Canada, for instance, where the rate was in 1866 \$2 31 on every \$100. In Halifax, in the same year, it was 28 cents on the \$100,—this rate being, I believe, a fair criterion for the whole Province. How is this? There are many charges laid on the Canadian towns and villages which here are paid out of the general revenue. We were told that the farmers would find a better market for their produce under Confederation, whereas the fact is the Canadians are running in their pork, butter and other produce and underselling them. It may be said that this is all to the advantage of other classes, but the fact is that the consuming classes are now unable to buy even at low prices, and thus the markets are injured for our farmers without any corresponding benefit being realized by others. Again, look at the extravagance prevailing in the public service in Canada. Reading the records of the old Canadian Parliament before Confederation, what do we find? They had 9 clerks and messengers to every 8 members of the House, whilst we have only seven in all. The sessional allowance of these clerks and messengers actually amounted to more than the pay of all the members.

We have been told that this Dominion is a great country, and that we may expect it to be populated with immigrants. I saw by a paper that 1678 immigrants had arrived, in one week, at a Canadian city; but how many of them do you suppose remained? Just thirty; the others went over to that ill-governed and ill-taxed country that people are so much afraid of. It is my most earnest desire that we may get repeal. We see in Great Britain the results of a forced Union, and of an attempt to govern a people against their will. Sorry I am to see such a state of things prevailing in the mother country; but the time has arrived when it is admitted on all sides that something must be done. I pray that such a state of things as prevails in Ire-

land may never occur in this country. The hon. member for Inverness told us that the men of weight and influence were in favor of Confederation. I beg to differ from him there; the merchants and bankers of this community should count for something and among the mercantile classes of Halifax you will find Unionists very scarce indeed; while among the other classes a very considerable proportion are Anti-confederates. I admit that many of the young men were in favour of Union, because young men are inclined to look hopefully to changes, but I think that by this time they also must have been undeceived. I may here observe that I have been much pleased at some of the speeches made by our representatives at Ottawa. Mr. Kilham elucidated the policy of this country as to its shipping, and the condition of our mercantile marine, most creditably. But what did all these efforts amount to? Nothing at all. That is just the result which might be expected from a scheme prepared as this one was. It was framed entirely by professional men; no merchant was asked to take part in the deliberations. Who are the men, sir, who have tended to make England what she is? The merchants of that country. Who are the men who have also tended to make Nova Scotia what she is? Are they not the men whose sails whiten every sea? I ask the men of Yarmouth, who have been foremost in mercantile enterprise, with what confidence they can look forward to a career within this Confederation? Even the carrying trade of breadstuff is taken out of our hands. We have been stripped of almost every advantage. I trust that our delegates, when they go to England, will represent that Nova Scotia is prepared to build her share of the railroad, and if necessary, to pay a regular quota to defence, provided we are let out of this Confederation. I observe by the papers that the Unionists of Nova Scotia are being called upon to get up meetings, and send home their loyal sentiments to counteract this agitation for repeal, but I believe that they would have hard work to drum up a corporal's guard in many of the counties. The stand-up fight of the 18th September proved the strength of the two parties, and since then, from causes well known to this House and the country, the Confederates have been growing small by degrees and beautifully less.

#### DR. MURRAY'S SPEECH.

DR. MURRAY said:—In rising to address the House on this important question—the most important that was ever before a legislature or people,—after so much has been said on the subject in the legislature, in the press, and on the platform, I may say that were I to consult my own feelings, I would remain silent, knowing as I do that it is almost impossible to throw new light upon the subject. But I would be recreant to my duty to myself, recreant to my duty to the noble county which I represent, and faithless to the people of Nova Scotia, did I fail on this occasion to express my open and determined hostility to this detested Confederation, and to stamp with my disapprobation the men who, with the late Lieutenant Governor at their head, by means the most base, and

treachery the most foul, combined not only to trick the people of Nova Scotia out of their legislature, but also to deceive the people and press of England, its Parliament and Queen. Before going into the question of Confederation, I must address myself to the hon. member for Inverness, and I shall do so the more readily because he appeared displeased that the Attorney General paid no attention to him a few days ago. After the uncalled for and unprovoked attack that he made upon the young members of the House, he could hardly expect that we would sit silent. That attack was made in language seldom heard excepting in police courts, fish markets and back slums of cities, and seldom used excepting by persons who frequent those places. Let me review some of the hon. member's remarks: he spoke of skinning a member from neck to heels, of a gentleman getting a bowie knife between his ribs, of stabbing back with a knife when he was pricked with a pin, of the poison bag, the bullies from Pictou, and so on. When I sat and heard the hon. member using these and similar expressions, it brought to my remembrance the saying of Shakespeare:

"Seldom he smiles; and smiles in such a sort  
As if he mocked himself and scorned his spirit  
That could be moved to smile at anything."

The hon. member challenged us to combat, I am not afraid to meet him here face to face, or in any other arena, but, as it is said "out of the fullness of the heart the mouth speaketh," I may add that I would certainly be afraid to be in his company in a dark lane, more especially if he were behind me. He said he was a native of Pictou and was proud of it;—all I can say is, that the people of Pictou, or the large majority of them, are not proud of him or of the position which he now occupies. If he has no respect for himself or his position, he should have some respect for the memory of some who bore his name. Many years ago who was it but one named Jotham Blanchard who distinguished himself so much by his labors in the press and in the Legislature to bring our institutions into the state in which they were a year or two ago? Who was one of the fathers of Responsible Government? Could that man rise from his grave and be told that at the dead hour of night, with thirty-one other political traitors, his brother joined in bartering away those institutions, how would he blush for his kindred? The hon. member spoke also about a ragged regiment [coming up from Colchester headed by their representatives;—I wondered at the assurance of the man making such a remark,—does he mean to say that a man who wears homespun, with perhaps a patch on his coat, may not be the equal of the man who wears his broadcloth and beaver hat and rides in a carriage?

"The rank is but the guinea's stamp,  
A man's a man for a' that."

I say I wondered at his using such an expression in reference to Colchester, whose inhabitants are equal not only in intelligence but in wealth and prosperity to those of any other part of the Province. I will now take the liberty of referring to one or two remarks

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which the hon. member made in reference to me. He said :

"The same hon. member told a remarkable thing, that he had seen the engine go out of sight,—I have seen it go out of sight very often, and I do not see that any great difficulty would result even if it did so at every half mile."

It is said that the *suppressio veri* is as criminal as the *suggestio falsi*. Now what I said was that I had seen the engine go out of sight in a distance of half a mile on a straight line. The hon. member also told us that the Pictou Railroad was the best in British America, but I find the Commissioner of Railways says in his report: "If the gradients and curvatures, owing to the rugged features of the country, are not of so favorable a character as those of some other lines." Who does not know that the very qualities which render a railroad a superior one are straightness of line and lightness of grades. As regards the frontage of Pictou harbor, I stated to the House that a larger amount of land had been taken at Fisher's Grant than was necessary for the Provincial Railroad; but that what was worse they had taken the land between the terminus and the light-house. I shewed also that it was impossible that the water lots which had been taken could have been intended for railway purposes. The hon. member for Inverness said that the leases contained a reservation, but I am strongly inclined to believe that this is only for the purpose of deceiving the public. The hon. member, however, told us first that he knew nothing of the matter, but he afterwards admitted that the leases had been given by his own government, so that one of these statements must be wrong. Another assertion I made was that it was customary for the offer of the water lot to be made to the owner of the adjacent land, but that that usage had been violated recently in reference to Pictou. I stated that a number of individuals had bought land at Fisher's Grant to build a marine slip, and had made application for the water lot in front. The reply they received was that no water lots could be granted without consulting the owners of the soil, and I have Mr. Fairbanks' letter to that effect; and adding those individuals would be heard before any grant was made. Will it be believed that after that, the very lot in question was granted without notification to the owner of the soil. I wish to read another extract from the hon. member's speech, and to put the House and the country right upon another most material point: I made reference to the Reciprocity Treaty, and shewed that had it not been for the action of Canada we would probably have had the treaty yet, and what is said in reply to that? "He told us that the abrogation of the Reciprocity Treaty was largely due to the local duties imposed by Canada. Did he not know that while that Treaty lasted the Canadians could not and did not impose a farthing of local taxes?" I will now show from the best authority that can be laid before Parliament that my remarks in that particular were correct and just, and for that purpose I will quote from Mr. Derby's Report on the Treaty. Here are some of the articles pass-

ing free between the two countries: grain, flour and breadstuffs, timber, cotton wool, vegetables, and indeed almost all unmanufactured goods. On page 25, Mr. Derby says:—

While the treaty was pending, Lord Elgin, the British minister at Washington, alleged that Canada had always adopted the most liberal commercial policy with respect to the United States, as well in regard to the commerce through its canals as in regard to the admission of manufactured goods coming from that country, and if the natural products of that country (Canada) should be admitted duty free, that Government would be willing to carry out still further the same liberal policy already pursued towards the manufactures of the United States." The treaty itself recited that the parties "were desirous as to regulate the commerce and navigation between their respective territories and people, and more especially between her Majesty's possessions in North America and the United States, in such manner as to render the same reciprocally beneficial and satisfactory."

With these intentions, thus expressed, the treaty was executed and commerce commenced.

When the treaty took effect by the President's proclamation, March 17, 1855 the duties in Canada were very moderate, but 5 per cent. on some commodities, and 10 per cent. on others, but 12½ per cent. on our boots, shoes, leather, harnesses, and many of our other products; but within a year after the treaty Canada began to advance these duties, and by 1859 had raised them 62½ per cent. on one class, and 100 per cent. on another, embracing our chief manufactures, and most of them were thus excluded and the sale of others reduced.

The Committee of Congress on Commerce in 1852 complained in their report that the duties levied on our manufactures and other products had checked their exportation from the United States to Canada, that our commerce with that country reached its height in 1855 and then began to decline with the advance of duties, that our exports which paid duties to Canada declined from \$7,981,284 in 1855, the year after the treaty was adopted, to \$4,197,316 in 1860, a decline of 47 per cent. in four years only, while the whole amount of our Canadian commerce declined 25 per cent. from 1855, when the duties were low, to 1862 when they were high. The committee suggest that if Canada required more revenue, her attempt to raise it by new duties on our manufactures was a failure.—I effected nothing but their exclusion. The committee in this connection draw attention to the fact that while Canada urges that she was obliged to raise duties for revenue, she has established two great free ports—the port of Gaspé on the Gulf of St. Lawrence, with a frontage of 1,200 miles on shores frequented by our fishermen, and another extending for 1,000 miles from the Sault St. Mary, at the outlet of Lake Superior, along the shores of Huron and Superior, where our settlers and seamen engaged in the growing transportation of the lakes may be tempted to buy goods and evade our duties. If legitimate trade be the object of Canada, she should reduce her duties, when they diminish revenue, and if fair reciprocal trade is desired, should she tempt our mariners, miners and settlers to evade our duties, and compel us to establish ports and custom houses at great expense upon a long frontier?

If Great Britain maintains Gibraltar to extend her trade on the coast of Spain, must we have a Gibraltar on our frontiers also?

Our committee complain of the change from specific to *ad valorem* duties on foreign goods, which are based on prime cost in gold, if they come by the St. Lawrence or by the Grand Trunk, a British Railway, but are assessed on cost, freight, and charges if not prices in currency if they come via Boston or New York. This the committee deem an evasion of the treaty. They complain also of discriminating tolls on the Welland Canal, by which goods destined via Oswego and Ogdensburg for New York or Boston pay tenfold the tolls required on goods diverted from our ports to Quebec or Montreal. They cite the reports of Messrs. Hatch & Taylor to our Treasury Department, in which they favor the extension of free trade. They refer to the trade with the maritime Provinces under



their system of low duties as more satisfactory than that of Canada, and come to the conclusion, at which the legislature of New York had previously arrived and set forth in their Resolves now on file at Washington, that "the legislation of Canada subsequent to the treaty, was subversive of its true intent and meaning, and that an isolating and exclusive policy had been adopted, intended to destroy the natural effect of the treaty by heavy duties on the products the United States have to sell, and by discriminating duties and tolls imposed to exclude the United States from Canadian markets."

It is fresh in my memory that when invited to favor the treaty I declared to do so, because the programme of the treaty did not expressly authorise us to buy the staples of Canada with the products of New England, but it is now apparent that this was a dangerous omission and that Canada has not redeemed her pledges. The minister of finance urges that Canadian duties are not as high as our own, but a duty of 20 or 25 per cent. is too high if it excludes our manufactures. The duty on our clocks at Liverpool and on our drills at Calcutta were not higher, but they were just high enough to effect the purpose of Great Britain, the exclusion of the fabrics of the United States. The minister urges that the free ports of Gaspe and Bault St. Mary are to encourage the settlers; but the few settlers on these desert coasts require no such stimulus, and Canada in establishing them pays no respect to the great maxim of the law—*Sic utere tuo ut alienum non laedas*—while benefiting by a treaty whose express object was to make the trade beneficial to both parties. He admits that the discriminating tolls and duties have been imposed and claims the right to impose them.

We have thus examined the progress, commerce, and policy of Canada, and find that she has grown rapidly in trade, wealth and population, that her annual commerce with us is fourfold its amount before the treaty; that she has not thus far redeemed the pledges given for her by Lord Elgin, the British minister, to favor our productions, but has checked their importation without benefit to her own, for she still devotes herself chiefly to her forests and agriculture, canals and railways.

These observations and extracts I contend are material to the subject of this debate, as shewing that while Confederation lasts we will have little chance of Reciprocity. The hon. member also tried to make us believe that the feeling in Halifax had more to do with the repeal of the Treaty than the St. Alban's raid, and he threw blame on the citizens of Halifax for their conduct; but it is not well known that the chief trade with the Southern States during the war, was carried on by citizens of the Northern States. The principal trader with those States, in Halifax, happens to be a Unionist. I am well aware that Nova Scotia cannot of herself form a treaty with the States, but we could have reciprocal legislation which would serve the same purpose exactly. In his speech of Feby. 11th, the hon. member for Inverness again asked, who sent for Mr. McHeffey? All I can say about the matter is, if he advised the Lieut. Governor to send for some other person, and still Mr. McHeffey was sent for, it shows that the Governor did not think much of the advice. He told us also that a majority of the people of Halifax were in favor of Union. I doubt the assertion, but will leave it for others to answer more fully. He then referred to the repeal of the Corn Laws and Catholic Emancipation, and other acts which were advocated by Sir Robert Peel, and asked "were not these material changes in the constitution?" I say no; they were merely alterations of laws and statutes within the bounds of the constitution. He went on to

refer then to the annexation of Cape Breton, and to the alterations of the franchise in this country; but all these were mere alterations in the law, and not parallel cases. If the people had been displeased with the changes, they could be repealed. Not so as to Confederation because we find ourselves unable to alter the scheme of Union in any particular. We were referred to the Washington Cabinet as an example of a ministry holding office irresponsible to the people. That system is in accordance with the constitution of the United States, and if the people desire a change there is a means by which it can be effected. But look at the Cabinet at Ottawa. Mr. Archibald, a man who was rejected by his constituency, holds a high departmental office in defiance of the opinions of the people, and dispensing the patronage of this country. The hon. leader of the opposition quoted authorities to shew that material alterations had taken place without appeals to the people, and when he came to reply to the reference to Lord Mansfield's decision, although admitting his ability, he said that no man ever committed so many errors. Did not Pitt commit errors too? Some think he went needlessly into wars with Continental powers, and thereby loaded England with an enormous debt and heavy taxes. Did not other statesmen commit errors? Lord Chat-ham said at one time that the Colonies should not be allowed to make even a horse-shoe nail; but are we going to adopt all the doctrines enunciated by these men so many years ago, and long since exploded. The Union of Upper Canada and Lower Canada was also referred to, but the case is not parallel at all. No person denies, I take it, that at the request of the people of a Colony, its constitution may be taken away, but where privileges have been granted, and a constitution is given, and that charter has not been forfeited by rebellion, Parliament cannot take it away.

The hon. member told us that before England would allow Nova Scotia to go she would deluge the land with blood. It would appear that he has a wonderful penchant for talking about blood and bowie knives; but in reference to his assertion, I would say that the people have no desire to rebel; we desire to remain loyal, and I have yet to learn that Great Britain will employ her troops to force us into a Confederation with Canada. If she obliged her soldiers to shed the blood of Nova Scotians for that object, the glory of the British name would be sullied, and the lustre of the British bayonet tarnished. Let us contrast our position under Confederation with that of a year ago. We then had our Governor's appointment coming from the Sovereign herself; the House of Assembly owing allegiance to the Queen, controlling the customs duties, lighthouses, post offices, railroads, public works, banking institutions, &c. We alone had the power to tax ourselves; and I would here say, that in my judgment, if there is one thing more than another which a free people should resist it is the handing over to an alien country of the right to tax us. What caused the old thirteen Colonies to rebel? Was it not the attempt made by the Legislature of Great

Britain to tax them? They did not object so much to the amount of the tax as to the principle on which it was imposed. Our condition is much the same as theirs—the Act of Confederation gives to the Canadians the power to tax us as they please. A little more than a year ago the people of Nova Scotia were living happy and contented; every four years they had their elections, in which the party contests ran rather high,—but it mattered comparatively little whether the Conservative or Liberal party ruled, so long as they administered our affairs fairly, and distributed our moneys among ourselves. Then our trade was flourishing, and our resources were being developed as quickly as could be expected in a new country. What has caused the difference? Are our people contented now? Have we the control of our legislation and taxes, and the appointment of our public officers? All these privileges are gone, and the result is that Nova Scotia is to-day, from end to end, like a boiling cauldron. It is said that we should not excite the feelings of the people, but it is the people who are impelling their representatives forward, and it requires a great deal of prudence and caution to prevent an unwise exhibition of feeling. It has been said that the country has been agitated by a few interested persons,—but such is not the case. Look over the face of the country, and you see the people rising spontaneously and holding meetings to call for *Peel*. The universal cry is, “Repeat this and end Confederation.”

Looking at the history of the question we see that although the idea of a Union of the Colonies had been spoken of, and although Mr. Johnston in 1854, introduced a resolution which was seconded by Mr. Howe, both these gentlemen and others made able speeches, yet nothing tangible was done. The first practical step was taken in 1864, when a resolution was passed authorizing the appointment of five delegates to go to Charlottetown to arrange a legislative union of the Maritime Provinces. Those delegates went down to Charlottetown, but did they even look at their work? Mr. McCully said, in a speech delivered at Toronto. “I suppose you will hardly believe me when I tell you that the representatives of the Maritime Provinces, who had been convened for the purpose of securing a particular constitution for themselves, having heard your delegates, actually adjourned with their work unfinished, if I perhaps may coin a word, *unbegun*.”

The very work which they were appointed to perform they left unconsidered. I refer to the fact because I believe that if these delegates had carried out the object of their appointment the result would have been beneficial to these Provinces. Lying contiguous to each other they are inhabited by the same race of people, their interests are identical, and surely there was material enough to form a considerable power. The area of the Provinces is as follows:—

|                               |        |
|-------------------------------|--------|
| Nova Scotia has square miles, | 18,000 |
| New Brunswick,                | 27,000 |
| P. E. Island,                 | 12,500 |
| Making a total of             | 57,000 |

The population is over 700,000, the shipping about 500,000, the exports \$11,316,456, the imports \$17,715,718. But instead of attending to their task, the delegates were spirited away, and the next place where we find them is in Quebec, where, after the lapse of twenty days, these men accepted a scheme secretly concocted and signed it on Sunday morning. It is somewhat strange that the hours of darkness were generally chosen by these men for their deeds in connection with the Union. In 1865 the scheme was submitted to the House of Assembly, but the opposition was so strong and the petitions so numerous, that the leader of the Government withdrew the measure and confessed he had found it impracticable. In 1866 no mention of the matter was in the Governor's Speech, although it is usual for the Ministry there to indicate the important questions which will be laid before Parliament. The omission, I believe, was intentionally made to deceive the people, and they were deceived. They were confident that no measure for that object would be brought forward, and thus they were lulled asleep. Now let me refer to the question of Union in its different aspects, and without going just now into the constitutional argument I think I can show that even under the most favorable circumstances the scheme of Confederation will be most injurious to Nova Scotia. Look at our geographical position, we are nearer Europe by 500 miles than any other part of America is—and surrounded as we are by the sea, being almost an island, and having access to the water at all seasons of the year, it is our interest to buy in the cheapest market and sell in the dearest. The people of the United States are our natural customers, and although by laws you may endeavor to divert trade, yet trade and commerce, like the waters of the ocean, will find its level and flow into their natural channels,—such legislation may succeed for a time, but business will soon return to its former courses. Let us before going further, examine this statement which I have made with respect to the people of the Republic being our natural customers, and I do not make these remarks because I would much prefer our people dealing with that country rather than Canada, for other things being equal I would have no such preference;—taking things, however, as we find them, we see that nine-tenths of our flour up to a recent period came from the States. In the year 1864 our total imports were \$12,600,000, the amount which we got from Canada being only the three hundredth part of the whole, \$403,000. We exported to Canada \$330,000 worth. From the United States we got \$4,000,000, being a hundred times as much as our Canadian importations, and we sent there eighty times the amount of our exports to Canada, being \$2,245,770. Our chief articles of export, as is well known, are coal, plaster, lime, grindstones, potatoes, oats, &c., and for these articles I repeat that the people of the American Union are our natural customers. Coal is almost the only article which Canada wants from us, and that only to a very limited extent.

In addition to the arguments derived from our geographical position and the nature of

our trade, we must consider the unfair legislation which forms one of the objections to Union. At the last session of the Ottawa Parliament, in spite of all that the members from the Lower Provinces could do or say, they put a tax on our breadstuffs,—this was done to benefit the Canadian producer, and to shut out from our markets the American breadstuffs. If there was any necessity for this step other than Canadian necessities I would not utter a word of complaint, but we found that when the coal mining agents petitioned for American coal to be taxed the request was treated with contempt—thus exhibiting an utter disregard for fair legislation. One of the arguments used in favor of Union was that our manufactures were to be increased; to show you that that could not be the case let us look at the position of England,—what enables a country to manufacture largely and cheaply? It is an abundance of population and the cheapness of labor. There is no other country in which wages are so low as in Great Britain, and any one can see that the manufacturer who obtains workmen for half a dollar can undersell the one who has to pay a dollar. The English manufacturer can import all his raw material—cotton from the States, hemp from Russia, and silk from India, and can manufacture at a rate which enables him to undersell every other country on the globe. Now to apply the illustration: wages are lower in Canada than in Nova Scotia, and besides that in Canada they have a very large amount of water power. It would require the lapse of years before we could even under the most favorable circumstances compete with the Canadian manufactures. But it was said throughout the country, and very strongly urged in the Pictou canvass, "Oh, after Confederation manufactories will start up, Nova Scotians who have gone to the States will come back in shiploads, and every stream in the country will have a mill upon it." I need not ask how far these predictions have been realized. Again, when we look at the matter in a financial point of view we will see that Confederation must operate most materially against the interests of Nova Scotia. We formerly had a tariff of ten per cent.—that tariff was sufficient to meet all the wants of the country, and during the last ten years our revenue not only increased but had trebled, and has reached the sum of \$1,228,000. In the natural increase of trade and population the revenue would doubtless have been still found sufficient to meet all the demands of the country, and to extend our railroads east and west without a change of tariff. Now we have not only a tariff raised by fifty per cent., but new taxes of several other descriptions. The amount of money which we are to get in return is 80 cents per head and a bonus of \$60,000. The fifteen per cent. tariff will, as every one can see, produce just a half more than the ten per cent., and that increase, calculated in the revenue of 1866, amounts to about \$700,000. What is to become of that money? It goes to Canada.

We were told that we had got more money back than we had sent up so far, but there is the plain fact that the large sum which I

have mentioned goes into the treasury of the General Government. There would be no need for an increase if, as was said, the money was to be expended among ourselves. To have the tariff thus raised without any corresponding benefit being realized by the country, is what the people cannot see the point of. Although I was aware, when we were confederated, that, at any rate, in the lapse of a few years, our taxation would be largely increased, I had no idea that the leading men of Canada would be so cold and so dead to all sense of shame that, at the first meeting of their Parliament, regardless of what our representatives could say, these tyrannical and oppressive acts would be passed. It was said repeatedly that the balance of power would be in our hands, and there was no danger of our interests being disregarded with fifteen members from New Brunswick to join our nineteen; but when the interests of the Maritime Provinces came to clash with those of Canada, we saw the Canadians banding together, imposing taxation on us, and such fear will always be the case while the Union lasts. To show you how oppressive the new taxation which they have imposed is, I will read from a speech delivered by Mr. McLea at Ottawa:

"The Minister of Customs admits, that according to a statement prepared for him by some other person, the increase of taxation on tea, tobacco, sugar, and the fifteen per cent. articles, will be \$273,145. I have made the calculation myself of the effect of this change of rates on some of the leading articles in use in Nova Scotia. Taking the quantities imported in 1866, the last year in which we have returns, I find the increase on sugars will be \$45,185, and on tobacco \$22,645. The member for Cumberland told us last night that the increase on tea is only half a cent a pound; the Minister of Customs says it is a cent; both gentlemen, I am sorry to say, is below the mark. There need be no uncertainty; the quantity and the cost value are given in the returns, and show the increase on our importations to amount to \$30,472. On meat there will be \$15,867; printing paper \$6000; petroleum oil \$20,500. Of cottons, woollens, hardware, cordage, canvas, &c., we imported, in 1866, the value of \$6,287,857, paying as duties \$556,386. Deducting \$1,122,493 for ship's uses, and some other goods to be entered free under this tariff, the balance would pay \$744,790, making an increase of \$218,404. Without occupying the time of the House by going over the whole of our importations, it will be seen that on these staple goods alone there will be an increased taxation in Nova Scotia to the extent of \$359,073."

Dr. Tupper, in 1864, said that owing to the large deficits in the revenue of Canada, it would not be desirable for Nova Scotia to be confederated with that country. His language was:

"But I am satisfied that whilst the condition of affairs has been such as it has been for years in Canada—the deficit now between the expenditure and revenue being more than a million of dollars—these Maritime Provinces would look very doubtfully upon a proposal which was to unite them with a country that

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is placed in a position of such financial embarrassment."

That deficit, we know, had been accumulating for ten years with the exception of one. After a six months' trial of Confederation we are in a position fairly to ask if the promises held out to us have been realized,—if our manufactures have been built up, our mining interests improved, and the young men and women who left the country brought back by the inducements afforded? No, sir, the benefits which we have obtained are increased taxation, the stamp act, the newspaper tax, and a number of other such impositions. To show that I have not exaggerated the inducements which were held out to us as arguments in favor of Confederation, I will read from a speech of Mr. John Tobin, made in 1867. He said: "If there is one section of this Province more likely than another to be benefited by this Confederation, it is the city of Halifax. This must be the emporium, whence will be distributed over the Confederacy all the merchandize brought to our shores. Trade must be developed to an indefinite degree, labor will be developed, in fact all classes and interests will receive a valuable impulse. Our port will be filled with shipping, and our wharves and warehouses groan with the merchandize that will be required for the Confederation." That is a sample of the style of argumentation which was made use of to deceive the country.

I think I have shewn, Mr. Speaker, that the working of the scheme, in whatsoever light you regard it—commercially, financially, or otherwise—is adverse to the interests of Nova Scotia. But the scheme is bad in itself, as I will presently shew. And I will dwell but little upon this point, because it is not material to us; because even if the measure were good, as Mr. Tomkins said: if it had brought as many blessings as it has curses, no person with a particle of British feeling, should submit to it." We were told that the scheme contains all the beauties of both monarchical and republican systems. The admiration which some had expressed for this constitution reminds me of the Pilgrim who exclaimed in reference to the coliseum at Rome:

"While stands the coliseum, Rome shall stand;  
When falls the coliseum, Rome shall fall,  
And when Rome falls, the world."

One would think that the world would fall if this Confederation were broken up. In my view, it does not contain the checks of either the monarchical or republican system. The very genius of the British constitution is against Federal union. The history of federation, from the earliest times, is condemnatory of the principle, and a legislative union is that which we have seen taken place in Great Britain. If a necessity existed, which I deny, for a union of these Colonies, a legislative union is certainly the one which should have been formed. Let me read an extract from Mr. Johnston's speech, in 1854, on that point. He says:

"I have never favored a Union of the Provinces, by way of federation, for it did not appear to tend to the great object we had in view. What we want is to produce a real

unity—make the parts that are now separate a homogenous whole—give them a oneness of existence and purpose."

This opinion, coming from Mr. Johnson, ought to have had some weight with unionists at all events. But if the delegates, having decided in forming a Federal union, had only turned their eyes on the American Republic, and copied some of its most valuable features, we would have had some better checks supplied. They gave us representation by population in the lower House; and I will not here stay to argue whether that basis is correct or not; but having done that, they should have given us some safeguard in the upper House. New York, being a large State, has 30 representatives in the House of Representatives; and Rhode Island being small, has only three or four; but in the Senate the latter has as many members as the former, so that the smaller States are protected from any combination in the lower House. But even if the appointments to our Senate had been what they should have been, the complaint would not have been so great; but some of those appointments are a disgrace to Nova Scotia. I will not refer to the individual characters of the men, for they are pretty well known; some of them were men of respectability; but among them were men like Miller, who went over the country denouncing Confederation. There was Mr. Bourinot, whose feelings in the matter were so strong, at one time, that he refused to participate in social gatherings in Canada lest his attendance might be taken as an indication of a favorable leaning towards Confederation. Mr. Jones shews what made a Unionist of him, and how he received his appointment, and there were others in the same position. Only one of the members of Senators can be said to represent Nova Scotia, and that is John Locke.

We come now to the question whether this matter should have been referred to the people at the polls, and authorities have been cited to show that it should not. I will not waste time to cite many proofs, because the right of the people to decide is perfectly obvious. Is it not a common popular saying "Vox populi, Vox dei?" And there is another one, "Vox populi, suprema lex," that is, "the voice of the people is the supreme law." Parliament has no power to destroy itself, or to vote itself out of existence. Lord Plunket said in reference to the incompetence of Parliament to put an end to its own existence: "yourselves you may extinguish, but Parliament you cannot extinguish. It is enthroned in the hearts of the people—it is enshrined in the sanctuary of the constitution—it is as immortal as the island that protects it. As well might the frantic suicide imagine that the act which destroys his miserable body should also extinguish his eternal soul. Again, therefore, I warn you. Do not dare to lay your hands on the Constitution—it is above your powers!" Never I think have I read anything more truly eloquent and true than the foregoing extract.

Even common sense should suffice to teach any person in a Legislative Assembly that the people from whom the authority is derived should not be precluded from saying

whether that power should be transferred. But I can shew from the lips of the abettors of Union themselves that this matter should have been referred to the people. In 1864 Mr. Miller said:—

"When we were told, as we had been told today, that it was the intention, if possible, to consummate this Union without a special appeal to the people—to yield up our separate government without the ratification of the popular voice, he thought it behoved us to act with forethought and discretion."

It is a pity he did not continue to act with the same forethought and discretion. In 1865 Dr. Tupper said:—

"Although the attempt has been made to induce the people to oppose it (the Quebec Scheme), by petitions largely circulated, the majority of the petitioners who are here state that they are not prepared to say whether it would be for good or for evil—that we should have Confederation, and ask the House to pause before irrevocably committing itself to what would be, I believe, for the advantage of the country. I believe that at an early day these parties, having been fully informed on the subject, will be prepared to come here by tens of thousands, and ask the Legislature to consummate this scheme of Union."

There he admits the principle for which we contend. He says that the people will come in by thousands to ask for the enactment; but how many petitions in favor of Union were presented? Again, Dr. Tupper said at Kentville in 1866:—

"If the people's representatives are satisfied that the country is opposed to this Union they can yet reject it, or they can obtain a dissolution by asking for it. *No Government could prevent it.* What we wish is, to submit the broad question on broad grounds, and leave its decision to the independent action of the Legislature. *No more groundless statement could be made than that there would be an attempt made to force this scheme upon the people.* In the discharge of my public duty I have felt bound to go wherever I would, and submit myself to the criticism of every man—to give all the information in my power, ready to submit as a member of the Government and as a public man of Nova Scotia to what I believe to be the great fountain of authority, that is, the clearly understood wishes of the people. I am quite certain that under the present Government and Parliament no measure will be ever passed that will be contrary to the public sentiment of the country."

Do you suppose that Dr. Tupper was not well aware at that time that the people were opposed to the scheme? The mode of passing it shows their knowledge that the public sentiment was against the deed. Even Mr. Archibald acknowledged the right of the people, for he used these words in his speech delivered at Temperance Hall, in 1864: "It is for the people of Nova Scotia to ratify or reject what we have done. If it will not promote their interests—if they believe the result will be injurious, and not beneficial, let them reject it."

THE SPEAKER suggested that it was out of

order, strictly speaking, to read from books or papers in debate.

Dr. MURRAY continued:—I would not have referred to extracts if it had not been done so largely on the other side,—but I was proceeding to shew that the men who now loudly tell us that Parliament had a right to pass the measure without submitting it to the people by their speeches and acts some time ago proved the contrary. Mr. Tilley, in addressing an audience at St. John, said: He could assure them, that if there is the least question as to the opinion of the people upon it, it shall be submitted to them at the polls." Mr. Tilley acted in accordance with this opinion, and, like an honest man, submitted it to the people. Had our people consented to union their position would have been very different. A great deal has also been said about the inconsistency of certain persons, especially Mr. Howe. It matters little to the people whether Mr. Howe was inconsistent or not,—if he had advocated Confederation without an appeal to the people he was wrong. Aspersions have been freely cast on Mr. Howe's name, but that name is "one of the few, the immortal names, that are not born to die," and will live in the minds and hearts of Nova Scotians when the men who passed this measure will have gone down

"To the vile dust from whence they sprang,  
Unwept, unhonored, and unsung."

The only parallel case that can be adduced is the Union of Ireland and England. It is well known that the Irish people were opposed to that union, and, when it could not be carried by fair means, Mr. Pitt, through the instrumentality of Castlereagh, by distributing large sums of money and titles among the members of Parliament, secured the passage of the measure. But what has been the result? The Irish people feeling that they were swindled out of their Parliament by improper means have ever since been discontented; one rebellion after another, Fenian organizations, &c., and tens of thousands of her people have exiled themselves from their beloved land, carrying with them wherever they go the most deadly hostility to Britain. And similar results are likely to follow similar causes in Nova Scotia. We who oppose Confederation have been called Fenians and Annexationists, and in a letter, written by Mr. Archibald, he told us about two parties going up to the village church, one respectable people, and the other associating with Fenians, rebels, and so forth, adding that people should be careful what company they kept. When I read that production, I was inclined to exclaim:—

"I thank thee, Roderick, for that word,  
It nerves my arm, it steels my heart."

When that man slandered nineteen-twentieths of his countrymen by telling them that they were the sympathizers of Fenians, cut-throats and rebels, he should have considered the company he himself was in. He was sitting the very time he wrote that letter in company with a man (Dr. Tupper) who had called him a briber and perjurer; with Mr. McGee, who, in 1848, went into rebellion against his Sovereign; with Cartier, who, in

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nineteen-twen- elling them that of Fenians, cut- have considered in. He was sit- e that letter in upper) who had urer; with Mr. t into rebellion Cartier, who, in

1837, stood in the [same position, and only threw away his musket when the red-coats were at his heels; with J. A. MacDonald, who has been branded by the press of his own country as a common drunkard; and with Galt, an Annexationist. The Fenians have been termed "misguided men, who love their country not wisely but too well," and some of them were found to die for their country, but Mr. Archibald delighted to sell his country, and to bring her under foreign domination.

Let me here read a short extract from Putnam's Cyclopaedia of Chronology. "A memorial for the annexation of Canada to the United States, received in five hours the signatures of 300 merchants, landowners and professional men in Montreal, Oct. 10, 1850." Who ever heard of anything like that occurring in Nova Scotia. Who ever heard of our people being disloyal until they were forced into subjection to another country. Some time ago, it will be remembered, the Government of the day dismissed a hundred magistrates. Mr. Johnson, our present Judge in Equity, moved the following resolution in the House, with regard to those dismissals:

"And this House is of opinion, that if such an exercise of Executive administration should be vindicated, the most sacred interests of society, would be placed in the power of every corrupt and unscrupulous Government that could command a subservient majority in the Legislature; and the people of Nova Scotia being driven to desire some constitution better balanced and protected, the connection between the Colony and the Parent State would be weakened and endangered."

If that deed was to weaken the connection with the Mother Country, how much greater is the danger when the rights of the whole people are sacrificed? The men who accomplished it may think they did a very honorable thing, and may enjoy for a time the honors which have been bestowed upon them, but I do not envy them. We remember that Montith betrayed Wallace, and for that act of treachery was loaded with honors while Wallace was put to death; but what Scotchman hears the name of Wallace, and reads that stirring song "Scots wha hae," but lifts his head higher, and plants his foot more firmly, without his heart beating stronger, and his blood circulating more rapidly, though centuries have rolled by since the death of the warrior? Who now thinks of Montith but with execration? In the neighboring Republic there was a man named Arnold who was honored for his treason, but how is he regarded now? In Mexico how was Lopez looked on after he had betrayed his benefactor? His wife met him and said, "Lopez, here is your son, we cannot divide him, but never more do I wish to behold his father's face." That is the way in which the men who betrayed this country will be regarded. When a hundred of years have passed, their names will stink in the nostrils of Nova Scotians. It has been often asked "will we get repeal?" I reply:

"Freedom's battle once begun  
Bequeathed by bleeding sire to son,  
Though baffled oft is ever won."

When I look at the character of the Parliament to which we are applying for redress, a Parliament presided over by the best sovereign in existence, and guided by great, wise, and honorable men, I feel there is no reason to expect that when we go there and show that they were deceived—that we never favored the Scheme, but were designedly kept from passing on it, these authorities will at once say "we have done you a grievous wrong, but we will undo what has been done." I might refer at some length to the falsehood contained in the preamble to the Union Act, and to the influence which Mr. Wain's statement must have had when he said that the question had been discussed at every polling booth in the Province. As to the Act itself, I concur with those who think it is not binding on Nova Scotia, because it has never been confirmed by statute of the Local Legislature. When the Reciprocity Treaty was entered into it was sent to us for ratification, and why not this measure? It has been said we should accept the situation. Shall we do so? No, Mr. Speaker, we will not, nor will we accept the advice of those who ask us to wait a little longer. "A day, an hour of virtuous liberty is worth a whole eternity in bondage."

We may be asked "but is our country worth contending for?" Look at her resources, her forests, her fisheries, her mines. Is it not the coal and iron that make a country great? We have them in abundance. This land is ours; it has come to us free from our forefathers, who felled the forests, and tilled the fields, and made "the wilderness to rejoice and blossom as the rose." Have we not among us the feelings of Britons? Whom do I see around me but the descendants of Englishmen, who are noted for their love of freedom; of Scotchmen—those men of iron, with lightning in them—the sons of the land which has been called "the home of the brave and the free"; and of Irishmen, whose country is the "first flower of the field, first gem of the sea," and has given birth to so many illustrious men, who, like Grattan, could exclaim in reference to their country's constitution, "I've sat by her cradle, and followed her hearse." And is there anything in the atmosphere of Nova Scotia to deteriorate the race? Have we not the same aspirations? I believe that Nova Scotia will not tamely submit and accept their present position. They must and will be free.

The debate was adjourned.

The House adjourned.

FRIDAY, Feb. 14th.

The House met at 11 o'clock.

Mr. RYANSON presented the report of the Committee appointed in reference to the distribution of the moneys for the relief of distressed fishermen.

Mr. DICKIE presented a petition with respect to a wharf in King's County.

Mr. KIRK, a petition from Fishermen's Harbour for a bridge.

Mr. COCHRAN, a petition of Mr. Archibald and others, of Musquodoboit Harbour, in reference to a road.

Hon. PROV. SEC. laid on the table corres-

pondence with reference to the Gilchrist Educational Trust Fund.

Mr. CHAMBERS, the petition of Laurillard and others in reference to a bridge at Upper Stawicke.

Mr. FREEMAN asked the government for certain information respecting a bridge in Queen's Co.

Mr. PINEO presented a petition from the Custos and Clerk of the Peace of Cumberland asking for an amendment in the License Law.

Mr. EISENHAEUB presented petitions with reference to the gathering of sea manure.

Mr. NORTHER, a petition from Garrett O'Connor, an aged schoolmaster, asking for a grant of land; also a petition from H. Dunlap and others, in reference to a road.

Mr. BALCAN, a petition from Ship Harbor.

Hon. Mr. FERGUSON, a petition of certain rate payers and inhabitants of New Boston and Catalogue, in C. B., asking for a certain quantity of potatoes and oats for seed; also a petition from the ferryman at Little Bras D'Or, asking for additional remuneration.

Dr. BROWN introduced a bill to incorporate the King's Co. Medical Society.

The adjourned debate was then resumed.

#### MR. PINEO'S SPEECH.

Mr. PINEO rose and said:—In rising to address the House with respect to the resolutions before the House, it is but natural that I should feel some embarrassment. But I feel in endorsing the sentiments expressed in the resolutions introduced by the hon. member for Inverness, that my views will be pretty clearly understood by the House and country, and that, therefore, it will be entirely unnecessary for me to occupy your attention for any great length of time. Like the hon. member for Queen's (Mr. Smith) who addressed the House on Wednesday in such an agreeable manner and style, I feel it is a duty that I owe to the country, as well as to myself, to explain the position which I occupy with reference to Confederation and Repeal. I was not instrumental, let me say at the outset, in bringing about this Act of Union, and I do not, therefore, feel myself responsible for the Act itself or its results. It was proclaimed the law of the land—I believe it to have been constitutional; but whilst I entertain that view I still feel that it was hasty on the part of the Government to have passed the measure into law without having first submitted it to the people at the polls. But when it was proclaimed the law of the land I felt it to be my duty to accept the situation, as I consider it to be the duty of every loyal British subject to-day. Now the country I have the honor to represent, abounds in coal fields, grind stone, lime stone, and other stone quarries. It adjoins the County of Colchester, where there is abundance of copper and iron. We have the facilities for all kinds of manufacturing. We have as industrious men and women as are to be found in any part of the world, but we have not the capital to encourage and stimulate the energy and enterprise of our people, and develop our resources. Now, the Act of Confederation secures to us the construction of the Intercolonial Railway, which will pass through the two counties I have mentioned, and necessa-

rily involve the expenditure of a large sum of money. Here then will be employment for our people. The construction of this work will open up a market for everything that our country produces. The circulation of money will stimulate our people and assist them in establishing those manufactures which are so very essential to it, and will be the means of bringing back to Nova Scotia thousands of our people who have left us to seek employment elsewhere. To repeal the Act of Confederation will destroy all this. We may be differently situated in Cumberland from any other county in the Province, but situated as we are we look forward hopefully to the construction of the Intercolonial Railway, which our public men have attempted in vain for so many years to accomplish, but have never succeeded until the Act of Confederation was passed.

But can we have repeal by passing the resolutions laid on the table by the Attorney General? I believe not. I believe as firmly as I believe that the Act of Confederation is constitutional that we will never have the Union repealed until it has had a fair trial, and proved to be what its enemies declare it will be. I believe that these resolutions are based on a fallacy, which will be easily seen by British statesmen. It may be expected that I should come forward to assist the hon. member for Inverness in resisting the attacks made on the late government, but I do not consider he required any assistance at my hands. He is ready and able to defend himself here and elsewhere, and actuated as I am under existing circumstances to assume a responsibility which does not naturally devolve upon me would be very rash and imprudent. I stated on a former occasion that I do not intend to indulge in any factious opposition, but no matter what minority I might be in, I would assist the Government in passing all measures that are necessary for the country. Entertaining the opinions I do of the resolutions moved by the hon. Attorney General, and believing as I do that time and circumstances will prove me to be right, I feel it to be my duty to support the amendments of the hon. member for Inverness.

#### MR. DICKIE'S SPEECH.

Mr. DICKIE followed and said:—Mr. Speaker, in attempting to address this House on the resolutions on the table, I shall not say anything in regard to the constitutionality of this question, for that part of the subject has been so ably handled by the gentlemen who have preceded me, that anything I might say would only be taking up the time of this House unnecessarily. I propose, sir, to look at this question in the light of a commercial transaction. In taking this view of it, I am aware it may be said that I am assuming very low ground—that I am taking a narrow and contracted view of the question, unworthy of so great a Confederation, so vast a Dominion. This may, to some extent, be the case, but you must be aware that a wise man once said, "money answereth all things," and without money what can any country be? It is necessary to the life, the prosperity, and the happiness of a country, that

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its financial condition should be sound, as it is necessary that the sun should shine and the rain should fall so that the face of mother earth may be clothed with verdure. And, sir, when laying the foundations of so great a Dominion, the utmost care should be taken that no interest should suffer in the slightest degree. The slightest variation of the compass may wreck the noble ship, and send her crew and passengers to a watery grave; so the smallest deviation from the path of justice in laying the foundations of an Empire, might ultimately cause its destruction. The Legislature of this Province when (constitutionally or not) appointing delegates to arrange a scheme of Confederation, stipulated that such a scheme should be equitable and just to all the provinces, and I propose to show that they did not carry out that stipulation. In July last, I made a calculation based on the revenue and expenditure of 1866, and estimated that the Dominion Government would receive from Nova Scotia, under our tariff, \$370,000 more than she would have to pay.

I showed this House the other day that, according to Mr. Rose's statement, the Dominion has received at the rate of \$366,000 per year, or \$152,400 for five months, and no gentleman undertook to gainsay the statement—it cannot be done—it stands as a record of the past and a foretaste of the future. I also showed that the difference between the tariff of Nova Scotia and the tariff of the Dominion would take from Nova Scotia in addition \$732,000. None disputed it, nor can they do so. These two amounts make \$1,097,000; add to this the Stamp Act, the Postage Act, and the Bank tax, and you have not less than 23,000 more, or \$1,120,000 for the year 1866, had we then been confederated. Is this fair, is this just? Is this such a scheme as they were charged to arrange? No—nothing of the kind. Were they ignorant of what they were doing? I would fain believe so if I could; but, sir, even the mantle of charity which covereth a multitude of sins, is not ample enough to cover so grave an error. It is utterly impossible that they should not have known that the bargain was a ruinous one for Nova Scotia; and, sir, we are compelled to look further for some cause that operated on their minds with greater force than the welfare of their country.

We have an inkling of this cropping out at the convention held in Quebec, where, it is said, they were at sixes and sevens until it was understood that the Dominion would elect three Governors for the different Provinces, and there would be a number of heads of departments and vacant senatorships to be filled. Then, as if by magic, this pipe of peace allayed all strife and differences of opinion, and each was enabled to see in this great scheme everything to admire and nothing to condemn. It could be compared in their estimation to but one thing under heaven—that to which nothing is to be added, neither anything to be taken away.

Sir, let me turn the attention of this House to what this Province has been enabled to do in the past, and from that judge what she might do in the future if left as we were. It

has been one of the great arguments of our opponents that had we remained as we were we would have had to raise our tariff. I deny it, sir, and I ask for the proof. The customs' revenues of Nova Scotia were—

|           |         |
|-----------|---------|
| \$608,939 | in 1861 |
| 835,657   | " 1862  |
| 861,669   | " 1863  |
| 990,169   | " 1864  |
| 1,047,891 | " 1865  |
| 1,226,398 | " 1866  |

This is an average annual increase in the past 4 years of 12½ per cent., and at the same average rates we might expect—

|             |         |
|-------------|---------|
| \$1,379,697 | in 1867 |
| 1,552,159   | " 1868  |
| 1,745,178   | " 1869  |
| 1,963,200   | " 1870  |

This is a calculation based upon the records of the past; and there is no reason why these amounts may not be realized in the future, except it be that the unsettled state of the country has been thrown into by those who have attempted to dispose of our revenues, and deprive us of our dearest rights, the rights of free men. But this is only our revenue from customs; our total revenue was :

|          |            |
|----------|------------|
| In 1861, | \$ 892,324 |
| 1862,    | 1,270,817  |
| 1863,    | 1,249,103  |
| 1864,    | 1,174,918  |
| 1865,    | 1,731,855  |
| 1866,    | 1,857,148  |

Under an average increase, we would have:

|          |             |
|----------|-------------|
| In 1867, | \$2,089,291 |
| 1868,    | 2,350,452   |
| 1869,    | 2,644,268   |
| 1870,    | 2,974,790   |

And this, too, under our own tariff. So with our finances in this condition, we would be enabled to meet all our liabilities, and build our proportion of the Intercolonial Railroad, if required.

But, sir, if we were to collect duties under a Canadian tariff, we would have collected, in addition to what we have collected under our tariff:

|          |            |
|----------|------------|
| In 1864, | \$ 603,531 |
| 1865,    | 688,522    |
| 1866,    | 732,000    |
| 1867,    | 823,500    |
| 1868,    | 926,544    |
| 1869,    | 1,042,247  |
| 1870,    | 1,172,252  |

a sum of itself sufficient to build the Intercolonial road, and pay for it too in less than 30 years, by placing the surplus in a sinking fund. And this, I hesitate not to say, is a sum paid by Nova Scotia to the Dominion Government, increasing every year as our imports increase, and for which Ontario and Quebec pay to the general fund no equivalent. But when I put the two amounts together and add to them the other taxes I have already enumerated, you would have

|          |            |
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| In 1864, | \$ 864,950 |
| 1865,    | 99,556     |
| 1866,    | 1,120,000  |
| 1867,    | 1,260,000  |
| 1868,    | 1,417,500  |
| 1869,    | 1,594,687  |
| 1870,    | 1,764,923  |

I may be told we will not continue to prosper in the future as we have in the past. If that is the argument, then the whole fabric falls to the ground, for has not their whole argument been that under Confederation every interest would prosper, our trade would be enlarged, and the hum of our busy workshops would be heard from one end of the Province to the other—and to quote the words of a reverend and learned lecturer, the present generation would see Halifax expanded to such an extent that Bedford Basin would be a mere frog pond in the centre of the town. If these anticipations are to be realized my estimates are a long way inside of the mark, for the greater our trade the more money Canada takes from us.

If my anticipations are not realized, it will be because this Confederation has crippled our trade, destroyed our manufactures, and reduced our people, and forced them to live more cheaply and consume less dutiable goods. You may take either horn of the dilemma you please, there can be but one result.

Now let me turn your attention to our local requirements, and ask how we can meet them under Confederation. We expended for Agriculture; Board of Works; Crown Lands; Education; Legislative Expenses; Mines and Minerals; Navigation Securities; Printing; Roads and Bridges:

|          |           |
|----------|-----------|
| In 1862, | \$318,340 |
| 1863,    | 398,849   |
| 1864,    | 555,973   |
| 1865,    | 629,202   |
| 1866,    | 851,699   |

And at the same rate we would require:

|          |            |
|----------|------------|
| In 1867, | \$ 985,014 |
| 1868,    | 1,149,183  |
| 1869,    | 1,313,352  |
| 1870,    | 1,477,521  |

On the other hand we would only have under Confederation:

|          |           |
|----------|-----------|
| In 1866, | \$442,000 |
| 1867,    | 465,000   |
| 1868,    | 489,000   |
| 1869,    | 517,000   |
| 1870,    | 550,000   |

Sums totally inadequate to meet the wants of these services as we have met them formerly; and the consequence would be that after we had contributed millions of dollars to Canada for the support of the Dominion Government, we would either have to allow our local wants to suffer, or tax ourselves directly for large amounts to meet their increasing wants.

But, sir, I have only been arguing hitherto on the supposition that the Dominion would only require from Nova Scotia the amount raised by the present Tariff, Stamp Act, Postage Bill, and Bank tax. A vain delusion, as I will presently show. People unite and form partnerships in order to accomplish together what they could not alone. On this principle we have, for large enterprises, joint stock companies. On the same principle this Confederation was formed, and the enterprises she has undertaken are, first, the Intercolonial Railroad, at a cost, it is said, of twenty millions of dollars; the purchase and open-

ing up of the North West Territory, variously estimated at from thirty to fifty millions more; then a Welland canal is in contemplation at from twenty to thirty millions more. And where is even the interest of the money to come from? for it seems to be a settled principle with our politicians that only the interest of money is to be provided for; the principal is left to future generations,—who it is expected will be able to do what the present cannot;—but how we are not told. Why, sir, when we turn to the estimates laid before the Dominion Parliament by the Hon. Mr. Rose, what do we find? Why, we find an estimated expenditure of \$14,301,301  
Estimated income 14,457,400

Leaving a surplus of only \$156,099

and this does not include \$1,925,500 expended on capital account. More than this, to my surprise there is nothing in these estimates providing for the Intercolonial railroad, North West Territory, or a Welland canal, the interest of which will amount to from five to seven millions, and of which Nova Scotia will have to pay her share in addition to all the sums I have enumerated. Yet all this is considered by the delegates and their friends fair and equitable; this is the scheme that was to do justice to all parties. If the foundation was laid thus let me ask what the superstructure is to be like.

Sir, did you ever hear of any number of persons going into partnership without taking into account the goods and chattels placed in the firm? What would you think if several gentlemen here should enter a partnership, and should place in one common fund their cash, their lands, their houses, their ships and their stocks, without putting any appraised value upon them, or without taking them into account at a certain valuation? And still you see the founders of this Dominion placing at the disposal of the Dominion the railroads of Nova Scotia without equivalent or compensation, to say nothing of our lighthouses, breakwaters, canals, and public buildings. Sir, I should have thought that one of the first things to be done would have been to have appointed a commission to appraise all the public property, and to arrange the same in a fair and equitable manner; and when they failed to do this they failed to carry out the very letter and spirit of their instructions. Had an enemy by force of arms conquered the country, he could not have done more than take all the public buildings and works as they have done, except to levy contributions on the inhabitants, and even this they have not failed in, for we see our revenues not only taken by our conquerors, but also raised 55 per cent.—and all this, in my estimation, is only a foretaste of what is to come.

When they talk of "accepting the situation"—of working the thing out, do they understand their position?—do they think where they are leading the country to? They cannot, surely! They have never carefully and honestly looked the situation in the face, or made any calculations as to the result, or they would not give such advice as that.

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Allow me now to turn the attention of this House to another phase of this remarkable Confederation. The history of the Grand Trunk Railroad is to some extent familiar to most in this House. That it always and largely influences the political affairs of Canada few will venture to deny; and, sir, I have reason to believe that the influence of that Company have had much, very much to do in bringing about this Confederation. Its influence on the politicians of Canada none can well define. When we turn our attention to England, we find the stockholders in that country throwing all the weight of their influence and position to further this scheme, and Mr. Watkin, the chairman, in his place in Parliament, standing up and deceiving that Parliament, and making them believe that the people of Nova Scotia had, at the polls, declared themselves in favour of this scheme. This closed the mouths of our friends in Parliament; they were unprepared to give him a flat denial, and under this misrepresentation they were led to pass this Act and do a cruel wrong to this country. It would be a libel on the love of justice and fair play, inherent in the breast of every Englishman to suppose for a moment that when they were shewn, as I trust they will be, the wrong they have done, that they will not take immediate steps to repair that wrong in the only way possible by a repeal of so much of it as applies to Nova Scotia. You may say what object had the Grand Trunk Directors in all this. 'Tis plain to be seen and judged of by their past history. They evidently, by their great power, will control the building of the Intercolonial, and make fortunes out of it, as Hincks did out of the Grand Trunk, and when finished will, in all probability, wind up the affair by saddling the two roads on the Dominion Government at such a price as will enable them to secure the services of members who in the past have, by their sudden commissions, laid themselves open in the public estimation to have been convinced by the strong arguments of gold and position rather than by the love of country and its welfare.

Sir, I will now turn the attention of this House to a statement made by the member for Inverness, and which he complains has not yet been answered; namely, that the Dominion Government have actually paid for Nova Scotia up to the present more than they received. Admit, for the sake of argument, that it is strictly true. If you will, what does it prove taken in connection with what I proved to the gentleman, and which it is not worth while to repeat? It proves but this, if they did so it was on account of our debt, for which they were bound to provide, and for which we pay them interest, and if they had paid in the first six months the whole eight millions, and cancelled all our bonds by bonds of the Dominion, or by cash, could any one be so bold as to declare that we had been the gainers by the sum of eight millions in the first six months? And yet this is the whole of his argument.

There is one other point I would turn your attention to, namely: In all those calculations I have, for the sake of argument, assumed that the Dominion Government will provide for all the services turned over to them in as

efficient a manner as we have done hitherto. Take for illustration the light house service; almost every man in this House and in this country is interested directly or indirectly in having the light houses of our coasts and bays properly cared for, and in the past scarcely a year has gone by that we have not added several new ones. But have we any guarantee that the Dominion Government, sitting in the backwoods of Ottawa, will take the same interest and care of those services that we have. I might apply the same remarks to other services, but I will not occupy the time of the House.

Allow me now to direct attention to a statement published by J. Johnson, Assistant Commissioner at Ottawa, attempting to show the amount that will be collected under the Dominion tariff and that collected under our late tariff, and showing an increase of only \$59,339. This statement is sent broadcast over the face of the country, and shows either the ignorance and utter incompetency of the officer, or that he is attempting wilfully to deceive the people of this country. Let me turn the attention of the House to a few of the statements, and compare them with the revenue actually received according to the Journals of this House:—

|                | Johnson. | Journals. |
|----------------|----------|-----------|
| Beef and Pork, | \$6,207  | \$3,409   |
| Navy Bread,    | 1,650    | 1,450     |
| Butter & Lard, | 1,749    | 670       |
| Cheese,        | 732      | 332       |
| Flour,         | 70,321   | 28,685    |
| Apples,        | 2,499    | 447       |
| Brandy,        | 71,107   | 56,598    |
| Gin & Whiskey, | 101,588  | 83,662    |
| Rum,           | 263,869  | 151,091   |
| Tobacco,       | 29,787   | 17,021    |

And, sir, all the mistakes are on one side of the account, and these make a difference of some \$190,000. When we turn to the amount of imports he lowers those to suit himself, by what authority or right I cannot tell, except it be to deceive the people of this country, as he heads his statement as based on the same imports. He makes some singular statements: for instance, he estimates a saving in flour of \$48,821, and yet the duty on flour is exactly the same under both tariffs, and he actually makes a saving of nearly \$20,000 more than was collected, or that would be saved if flour had been free. Sir, I will not tire this House by wading through any more of his errors. Suffice it to say that the errors in this column foot up some \$265,000.

The average duty of Canada and Nova Scotia was as follows:—

|       | Canada. | Nova Scotia |
|-------|---------|-------------|
| 1863, | 11.2    | 8.4         |
| 1864, | 12.6    | 7.4         |
| 1865, | 12.     | 7.2         |
| 1866, | 13.6    | 8.5         |

The average Canadian tariff of last year is 55 per cent. higher than the average of Nova Scotia—and the Dominion tariff of to-day only differs from the Canadian tariff in some half a dozen articles, as I showed on a former day, and which it is not worth while to repeat, and the difference to Nova Scotia is not



more than \$10,000 either way per year. And yet Mr. Johnston tells us that it will only take \$59,339 more than our late tariff. Nova Scotia imported in the year ending 30th Sept., 1866, \$14,381,000, and collected duty \$1,226,398, and the addition of \$59,339 would only be about 41.100 of 1 per cent—which would make the Dominion tariff according to Mr. Johnston only 8 94.100 per cent; call it 9 per cent. for the sake of simplifying it. Apply this to the amount of Canada's imports, and you have \$2,488,516 less than was actually collected; and if Mr. Johnston is right Canada will be relieved by this tariff \$2,488,516 per year, and we will have added to our taxes by it \$59,339. Sir, the statement is unworthy of consideration, and I beg the pardon of this House for occupying so much of their time with a statement so manifestly erroneous; and my excuse is, that it appears to have been issued by authority, and the press of this city are copying, commenting on and endorsing its errors.

In conclusion I will only add in reference to the remarks that fell from the hon. member on a previous day that he may call me what he pleases—may threaten to skin me from head to foot; but I tell him I did not come here to bandy words with any one, but to do the business of the country. I can tell him one thing, and that is, he will never make me sit down as he acknowledged he sat under the tongue lashings of a gentleman some years ago. He confessed that he did not dare defend himself, and that it hurt him so much that he could not sleep all night. When I cannot defend myself I will retire from this House, and go back to my constituents, and tell them I am not fit to fight their battles or contend for their rights.

#### MR. CHAMBERS' SPEECH.

MR. CHAMBERS said—I do not like to occupy the time of the House when any member is desirous of speaking, but as no one appears about to rise, I shall endeavor to express my opinions on this important subject as concisely as I can. I do not pretend to be a public speaker. There are many gentlemen in this House of whom it may be said that they did not seek these seats, but these benches sought them. They have come here for a patriotic purpose—of freeing their country from a Union into which the people have been unfairly forced, without their consent having been even asked. Many gentlemen would gladly retire from the House, and attend to their own private affairs, if they did not feel impelled by a high sense of duty to remain here.

The hon. member for Inverness and myself started out in life about the same time, and whilst he has pursued one course, I have taken a different one. He has been before the public for twenty years at the bar, and I have no doubt he has been successful; but I have kept steadily at my business, and have no reason to be dissatisfied with the result. If I were inclined to act the egotist, as he did the other day, I could tell him what I have done in Cumberland and Colchester to revolutionize trade. If I had not kept to trade I might be in a bad Government, or looking to

politics for my livelihood. Happy am I that I am not like others we know of, who have been driven out of this country by the indignation of their fellow-countrymen, and forced to seek refuge in the backwoods of Canada, instead of being able to return to their old friends, and received with open arms by their fellow-citizens. I am not here, I confess at once, to make the best, but the worst of Confederation. I am here to express the feelings and opinions of those who have been deeply wronged in connection with this momentous question. We have already had considerable experience of this hated scheme, and can judge of the deep injury we must sustain if we remain much longer in our present humiliating position of subjection to Canada. But I acknowledge that I am open to conviction, and if the hon. member can show us the advantages of Confederation I shall gladly listen to him. My constituents never asked Capt. Morrison or myself what we would do, but they elected us because they believed we were honest men, and therefore we are able to pursue that course which will be most beneficial to the people.

The hon. gentleman has told us that we should pause before proceeding any further, but allow me to advise him and his friends to reconsider their own policy and the consequences that must result from their efforts to thwart the wishes of the people. If he and his party had paused long ere this what an amount of irritation and agitation we would have been spared. Now we see brother against brother, and father against father, and actually in our part of the country we find the wife opposed to the husband. Nobody has done all this but the hon. member and his friends.

The hon. gentleman has asked us to strike out all the words after "that," in the Attorney General's resolutions—certainly a very cool proposition. Why did he not strike out the word "that," also, whilst he was about it? Now, a few words as to the nature of this new political connection. Suppose the hon. member goes up to Ottawa, and after a while engages his daughter to one of the magnates of that capital. Then he returns to Nova Scotia, and after some days he calls his daughter to him and says, "By the bye, my dear, you have to be married to Lord B.; I have no doubt you will be happy, and I will then no longer be at any expense for you." Suppose the daughter would reply that she was unwilling to marry Lord B., but preferred some tradesman in Halifax; or suppose she was a dutiful child, and, despite her feelings, married the individual to whom her father had engaged her without her knowledge or consent—would she ever be happy? In all probability she would drag out a miserable existence, and seek rest at last in an early grave. That is about the way we have been dragged into this Confederation. The hon. member says that it is constitutional; but though I am no lawyer, I know the difference between right and wrong. The hon. member understands the law of books, but I understand the law of common sense.

Now I intended reviewing this tariff, but it has already been so ably handled by gentle-

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men who have preceded me that I find some difficulty in dealing with it. I consider that this tariff has imposed upon us burthens most grievous to be borne. It is true we have been told that the tariff was not complete, but surely they had time enough to consult business men, and arrange it so as to be fair to the interests concerned. This tariff cannot satisfy Nova Scotia, because it is a Canadian tariff. What suits Canada does not suit Nova Scotia, for the interests of the two countries are very different. Each has what the other has not. Take a few items in this tariff in order to see how the interests of this country are affected. First of all we read: "No deduction of charges for packing, straw, twine, cord, paper, cording, wiring, cutting, or any other expenses." These gentlemen are not satisfied to charge duty on the goods only, but actually on musty straw in which they may be packed. (The hon. member I see is taking a note, but I know what he will say, that this refers to bottled wine or porter, and so he may cross out his note.) Again we are told, "No commission charged in any invoice, for the purchase of goods or claimed to have been paid for such purchase, shall be allowed in abatement of the value of the goods for duty." On some low price goods the expenses and commission add full 25 per cent. to their value, which are compelled by these unfeeling gentlemen at Ottawa to pay the duty on the same. Probably if Mr. Blanchard was a trader, as I am, he would not be long on the side where he is now. If he was selling tea, sugar, cotton warp, &c., he would be with us; but he is now in that position that he does not understand the wants of the people, and therefore he did not care how much duty we have to pay. Again, to come to something worse, "No discount for cash shall in any case be allowed, nor shall goods be allowed to entry at cash values, except where it is satisfactorily shown to the Collector that such goods can be purchased only for cash, and then it shall form a part of the affidavit of the importer that the value of such goods was paid at the time of purchase." Whoever heard of a thing like that? I did not think they were smart enough in Canada to do a thing of that kind. I know of a gentleman who has sent an order to England for some goods, and if he pays cash, he will get 10 per cent. discount. If he goes to the Custom House and presents his invoice of an item which cost 9s. cash, instead of 10s. on time, they will ask him, could you not buy it on time? Then they will reply to him, "no discount allowed for cash, neither will a cash bill be allowed unless it be shown that such goods can only be purchased for cash." It appears to me that such a thing is preposterous in the extreme. Now look at refined sugar, and you will find it is fifty per cent. more than it was last year; yellow sugar is one-half more; the latter is an article that enters largely into the consumption of the people of this country, and they are now actually obliged to pay one-third of the value in the shape of duty. Of course this is done to fill the pockets of the Canadians. Then again there is starch, which they wish us to buy from Canada, and hence they impose a higher duty on the im-

ported article; but our ladies prefer the London starch, and will not purchase the inferior article from the Canadians. Well all I can say is, that they may determine as much as they like to make us buy their starch, but I think before we are done with them we will have taken the starch out of them.

I shall say nothing about flour, for we had a duty on it previously, but take corn meal and rye, which certainly should not be taxed, entering as they do, especially the former, into the consumption of the poorer classes. Cinnamon, nutmegs, ginger, mace, &c., are charged 25 per cent., but I do not care what duty is imposed on these things, for they are chiefly used by the rich. Tea is charged 3½ cents a lb. and 15 per cent. *ad valorem*. It is urged by some that we do not pay more than a half cent a lb. additional, but I have calculated that it will amount to 2½ cents on tea, which costs 1s. 4d. sterling a lb. Now there is white lead. In Canada dry white lead is used, and therefore it comes in duty free, but if there is a little oil in it, it is taxed 15 per cent. The Canadians have their own oil wells and prepare the paint themselves. The Halligonians, on the other hand, prefer to buy the prepared article, because it saves a vast amount of trouble. We have to import the mills and the oil to prepare it, and it would therefore give us a great deal of expense and trouble. As respects molasses we cannot complain. Mr. Archibald told us on one occasion, whilst they used sugar in Canada, very many of our people used molasses. So we must give him credit for this change which is intended, doubtless, as a fly trap. Rigging, and all kinds of iron for vessels are duty free, but under our own tariff such things only paid 5 per cent. Why the ship owners can better afford to pay a small duty on his vessel's materials than any other class of persons in business. Give us our liberties, and I will guarantee that the hon. members from Yarmouth, Mr. Townsend and Mr. Ryerson, will gladly pay 5 per cent. again. The price of cotton warp has been raised, although it enters so largely into the consumption of our poorer classes, from 5 to 15 per cent. This is certainly a hard case for those people who manufacture cloth, which they sell to buy flour and other necessities of life. Just one more item for example, the duty on low price soap from England will be increased 1000 per cent. If the hon. member for Inverness will (as he said) have the Colchester boys in rags, he surely, surely, should not use his influence to deprive them of cheap soap to keep them clean. It will be remembered that the *ad valorem* duties in Canada was 20 per cent for a number of years, but last year they lowered it to 15 per cent. for the purpose, no doubt, of making Confederation acceptable to the Maritime Provinces. It is well known, however, that Canada went largely behind even with a 20 per cent tariff, and that being the case how is 15 per cent to meet her necessities? What does Mr. Rose say? The *Canadian Journal of Commerce* tells us that according to Mr. Rose's figures of the finances of last year, under a 15 per cent tariff, Canada went behind at the rate of five or six millions of dollars. Suppose they do not purchase the North West

Territory or build the Intercolonial Railway, yet they cannot meet the expenditures with the present 15 per cent duty.

The Attorney General told us the other day that we had now four governments, but we have actually six, and I will show you how that is. We have one in New Brunswick, one in Nova Scotia, one in Ontario and Quebec respectively, and two at Ottawa. They have at the capital two sets of officials, they have one class of people speaking English and the other French. I believe though they may be theoretically one government, there are two practically—two certainly in a pecuniary point of view. I think then if they could not live under a 20 per cent. tariff, they are not likely to meet all their expenditures with their system of government largely increased. Suppose we take in the North west Territory, what an immense tract of country will have to be opened up by roads and bridges; suppose the aborigines become troublesome on our hands; suppose we build the Intercolonial Railway, and increase the fortifications of Canada, where is all the money to come from? Must not the tariff go up? I have no hesitation in expressing my opinion that it must steadily rise as long as we remain in this Confederation. In the course of time we must see it as high as 30 per cent., or 25 per cent. at the very least. Only let the Canadians get a firm grasp of us, and the tariff will go up fast enough. The hon. member for Inverness asked us the other day, "will you give up your mines and minerals to Canada?" He admits that we have given up nearly everything, and consoles us with mentioning what we have left. What did Mr. Archibald tell us at one of our meetings when he was told of the evils and burthens of Confederation? Why he actually told us that he would try and temper the wind to the churning lamb, thereby confessing what we had to put up with. The hon. member for Inverness has gone into the constitutional part of this question; he has spoken of Catholic Emancipation, of the abolition of the Corn Laws, and has eulogized Sir Robert Peel and Mr. Pitt, and gives them as authority for this act of despotism.

Refreshing my memory from some old books in my valise, put there by my little boys, I find that it is true that the emancipation of the Catholics in 1829 was carried against the wish of the Protestants, and in five days they sent 957 petitions against the Act, while only 357 were presented in its favor, but while they gave freedom to Ireland, the Canadian Act has placed us in bondage.

In regard to the repeal of the Corn Laws in 1846, it was by and with the consent of the people, it gave them their bread free of the 16s. on the quarter of wheat, while the British North America Act taxes ours 1s. 3d. per barrel, advances our ad valorem duties 50 per cent., and places other taxes on us, grievous to be borne, as well as depriving us of the liberty we have so long enjoyed.

In regard to Mr. Pitt as authority for changing a constitution independent of the people, I may be safe in saying that he was not infallible. At this time he had the horrors of the French revolution on his mind, and with the cares of the state and the extra

quantity of stimulating drinks he thought he required to stay his great mind, we may put against him Mr. Gray and Mr. Erskine; they say that a "man ought not to be governed by laws, in the framing of which he had not a voice, or pay taxes to which he had not consented in the same way."

As to Sir Robert Peel, the political text book of Great Britain says, "He was not a man of original genius or inventive thought; there is not a singular *idée mère* can be traced to him through his whole career." Register, Register, Register was not his own; he borrowed it from a celebrated political journal, generally in opposition to himself, where it is to be found years before he ever gave utterance to the counsel. His mind was adoptive, not creative; he was the mirror of the age, not its director; his leading ideas and principles were taken from others. In monetary affairs he only elaborated the ideas of Mr. Homer and Mr. Ricardo, first enunciated in the Bullion Report. In supporting the Corn Laws, he adopted the arguments of Lord Liverpool and Lord Castlereagh; in assailing them those of Mr. Bright and Mr. Cobden. It was the same in the Catholic Emancipation; his arguments admirable on both sides, were alternately adopted from Lord Liverpool and Mr. Perceval, of Mr. Canning and Mr. Plunkett. It was this which suggested to Mr. Disraeli the felicitous expression that his mind was a "huge appropriation clause."

So if the hon. member quotes constitutional authorities, I can also show you their value, and enable you to estimate them at their proper standard. But he has told us about Cape Breton, and asks whether that island is not content under Confederation. How could Cape Breton be otherwise than satisfied with Union with Nova Scotia? Compare the position of Cape Breton now with what it was a few years ago. The ladies then did not wear their silks and satins, or the men dress in broadcloth; they did not even put their hay under shelter. Now they are connected with Nova Scotia, and participate in its large revenues and sources of prosperity. Where we paid 5s. a head into the treasury for many years, the people of Cape Breton probably did not pay more than 1s., while they received an equal amount per head with us, and probably more. But that is not the case with respect to the Union between Nova Scotia and Canada. We being consumers of dutiable goods will pay 30s. a head, while they will pay about half that amount, and get an equal share per head with us from the revenue. It is said we will have one law—one militia system—one currency. But suppose we have one currency, how will it benefit us? In New Brunswick, Newfoundland and Canada they have had one currency, but what does it amount to? The par of exchange in Canada and New Brunswick is 9½ per cent.; ours is 12½ per cent. The latter is equal to the adding a fourth, having no fractional parts, the British shilling being 1s. 3d., and the sovereign 25s. If we are forced to adopt the Canada and New Brunswick currency, it will be equal to adding one-fifth; therefore, if you are required to pay 1s. 3d., 5s., or 25s., you will be at the trouble of adding some copper coin to each amount. We have now

the most simple and convenient currency in British North America; and if they adopt ours it will confer no boon on us, as it is all right without them. Suppose we have one currency; while the balance of trade is against us our paper will not be taken at par in Canada unless our Banks have agents there to redeem it. I may say here that in Newfoundland the old system of adding the ninth and the premium is discontinued, and instead they add 22 or 24 per cent., according to the demand.

No one will deny but that the hon. member for Inverness has made a great speech, but so far as argument goes it reminds me of a story told me of the celebrated Whitfield. An old lady once went to hear him, but could not get near him in consequence of the crowd, but she sat herself down on a large stone where a gentleman passing by saw her weeping, and asked her what was the matter. She replied that she was converted. "But, my good woman," said the questioner, "you have not heard him speak." "Oh, no," was the reply, "but I saw the shake of his head." Neither the hon. gentleman's argument nor the shake of his head will, I think, effect us as it did the old lady.

#### MR. CAMPBELL'S SPEECH.

Mr. CAMPBELL said—I am very happy to see that the hon. member for Colchester is far better versed in the momentous question before us than he is with the social position of Cape Breton. I do not think that the hon. gentleman has been in Cape Breton from the description he has given of the country, but the able manner in which he pointed out the disadvantages of Confederation will cover a multitude of sins in that particular. The learned gentleman remarked here to-day that in military tactics it is the usual custom to bring the small guns to the front. If such has been uniformly the practice, I find that in this campaign we have made a sweeping change. Nearly all our great guns have fired off with good effect; and now commences a fusillade of small guns, and as we are not much in danger from the enemy in front, the officers in command do not think it necessary to throw out skirmishers, and that accounts for finding us in the rear. When Union became the law of the land, I made up my mind, with many Anti-Confederate friends, to give it a fair trial, fully convinced that, before the end of the year, its greatest friends and warmest advocates would be deeply disappointed; but at the same time we determined if it should turn out such a blessing as our Confederate friends anticipated, then we would accept the situation. Now we have had eight months of this millennium, and in what position are we? Twelve months ago we were a self-governing people, we looked with pride on our past history, we indulged in hopeful anticipations for the future; but in what position are we to-day? The Canadians have full control of ourselves and our finances—our public burthens are made heavy, and to meet those burthens our tariff is increased from ten to fifteen per cent., and if we felt it would stop there, we might feel less apprehension. But when we become proprietors of the Hudson's Bay Territory,

for which we are expected to pay from 30 to 50 millions of dollars—when we become shareholders in the Intercolonial Railway, it is no stretch of the imagination to say that 15 per cent. will not meet our annual liabilities. When that occurs, shall we not, in the figurative language of one of our newspapers, have "one foot on the Atlantic and the other on the Pacific?"

It is said that the most intelligent people voted in favor of Union. I admit that many highly intelligent persons, some of them my best friends, voted in favor of Union, and if it were not for such persons Confederation would long ere this have given up the ghost in the hands of that eminent accoucher, Dr. Tupper. I would say, however, with much respect to the Union party, that after the forty days legislation at Ottawa, after the humiliating position they see our representatives placed in, voted down on every subject, if after all this they still remain the advocates of Confederation, I cannot have the same high opinion of their intelligence and patriotism. We have now but one course before us, and that, I think, is clearly embodied in the resolutions on the table. I feel confident that the Act which now binds us to Canada will be repealed—that the British Parliament would scout such a policy as that Lord North upheld nearly a century ago—that the people of Great Britain who have ever been eminent for their love of liberty and fair play will not treat our petition with scorn, but instead of that will feel proud of us as the descendants of that noble stock that would rather die with their swords in their hands than yield one iota of their constitutional rights. I am proud to see so much unanimity in this Assembly; I never saw so much before among so many men on one question—so many men brought from every part of the province representing a great variety of interests. I have no doubt that before long the solitary two who now form the opposition will see the error of their ways and fall into our ranks, and if they do I can promise them they will be received with open arms. We are always glad when we see sinners repent. In conclusion, I need only say that for me to go into the merits of the case would be altogether out of place after the incontrovertible arguments brought forward during this debate by my Anti-Confederate friends. They have not left the fabric of a vision for the opposition to grasp at.

#### MR. KIDSTON'S SPEECH.

Mr. KIDSTON said:—In rising to address the House on this most important question, I feel that it is one fraught with the deepest interest to the people of this Province; but before commenting on the resolutions laid on the table, I may say that I shall endeavor so to modulate my voice that it will not disturb in the least the equanimity of the hon. member for Inverness. That gentleman reminded me of a passage of arms that once took place on the floor of this House between the Hon. Joseph Howe and the late Provincial Secretary, Dr. Tupper. The former said, "If you resist the devil he will fly from you, but if you resist Dr. Tupper he will fly at you." This gentleman (the member for Inverness)

acts in much the same way, and appears inclined to fly at every member who endeavors to discharge his duty faithfully to this country. I shall not travel over the ground that was traversed by the Hon. Attorney General, in laying the resolutions on the table, for I think he has himself done ample justice to the position he occupies, and it would be a waste of time for me to recapitulate those points which have been already and thoroughly grappled. I may remark with respect to the amendments moved by the hon. member for Inverness that he has taken a very superficial view of the question. I did not come here pretending to have a knowledge of law, but I assume that I am at least capable of sitting in a jury box in this country, and that I am at liberty to form my own opinions upon any facts that may be advanced by legal gentlemen around me. The hon. member for Inverness has taken the liberty of quoting certain authorities in connection with constitutional law. When he brings up Sir Robert Peel and Mr. Pitt I think the hon. member has shown to this House and to the people of this Province that he was only traversing the surface of English constitutional law instead of diving into the depths of that law. I think it one of the most important points to put the question fairly before the statesmen of England. Sir, allow me to refer back to the year 1868. What occurred then? We know that thirty-two gentlemen then on the benches, the hon. member for Inverness included, practised the most systematic deception upon the people of this Province. To such lengths was this deception practised that the Governor's speech did not contain one word about Confederation. We may presume, and I think it is the feeling of the people of this country, that they acted more as if they had been elected under the electoral privileges of Nova Scotia to represent and mature the views and interests of New Brunswick rather than the views and interests of Nova Scotia. Before proceeding further on this subject I also contend that the resolution passed by the Government then holding the reins of power, was not such as would warrant the people of this Province being deprived of their rights in the way they have been. I believe that the object of that resolution, worded as it is, left an impression on the minds of the people of this Province that after maturing this measure in England, it would be submitted again to the people at the polls, and to the Parliament of this Province. I shall not trouble the House by reading the resolution then passed, which is contained in the resolutions now before us, but I cannot in my own mind conceive how it can be so misconstrued as it is by the hon. member for Inverness, who would attempt to impress the idea upon this House and the country, that it was intended to give the power to these delegates to proceed to England and mature a law which was to deprive us of our rights, revenues and liberties. I contend that no reasonable man of sound judgment can put any other construction on the resolution, than that the same power was delegated to them then that was given when they went to Prince Edward Island to take into consideration the propriety and benefits to result from a union

of the Maritime Provinces. Sir, I repeat, from the outset and all through deception has been practised upon the people of this country.

We remember well that a resolution was passed in this House authorising the Government of this Province to appoint a delegation to take into consideration the practicability of uniting the Maritime Provinces. How did they act with reference to that matter? They were told to treat the question in a legal and constitutional way. The people's representatives restricted them to the Maritime Provinces. They were not permitted to travel one inch beyond that. But instead of keeping within the limits of constitutional authority, without any sanction on the part of the people of this Province, they took up the question of the larger union, and left the question which they were legally authorized to deal with. What then? We find them going to Quebec at the instigation of men from Canada who came to Charlottetown, who persuaded the Maritime Delegates into usurping an authority and a power, which, constitutionally they could not exercise. Having gone to Canada, there they perpetrated an act which has brought down upon them the execration of the people of this Province. Let me suppose for a moment a case in point: a mercantile firm in this city employs an agent to transact certain business in Prince Edward Island. He is restricted and bound down to perform certain acts, and while he is engaged in this business at Prince Edward Island, some black legs come down from Canada, and persuade him to ignore his master's instructions and proceed with them to Canada, and the first thing his employers hear is that he has not transacted the business for which he was delegated, but that he has taken the liberty of banding over his master's property to a party he had no authority to deal with. Now I put it to the hon. member for Inverness if a case similar to that came before him, how would he put it to a jury? How would it be dealt with? Five years in the penitentiary at hard labor would be given the offending party; and I ask you where was our Attorney General all this time that he did not protect his employer's rights? That official gentleman was among them helping them.

I may remark, in the next place that I have an abiding faith when all the facts connected with this question are faithfully and truthfully laid before the Parliament of England, that we will receive ample justice. It must be remembered, by all the people of this province, that when the elections were run in 1863 there were two questions which influenced the electors at that time very materially, and one point was, that Dr. Tupper, who was previously to that in opposition, brought down a series of resolutions into this House in favour of retrenching certain expenditures. He was opposed, and in the heat of debate he pledged his soul's salvation that he would introduce retrenchment if he should be returned to power. I know that this one element, at all events, influenced the country materially in giving him such a large majority when the elections were over, and the other question which assisted him largely



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was the Franchise act. The people believing that a man who had pledged his soul's salvation must be sincere, returned him and his friends with an overwhelming majority to this Legislature. This House and the country know how far he has redeemed that pledge—the language which he used was that of an irreligious libertine. What right has any man to pledge his soul's salvation? Look at the extravagant waste of money in worse than useless delegations—the very reverse of his pledge to the people. I ask you now, is that man to be believed, and is he now wandering about the world with his lost soul. Will any man hesitate to believe that we will not obtain justice from the British Parliament when the case is fairly and fully put before them? When they are fully convinced that they have been grossly deceived, they will feel more annoyed than we do at this moment, and will take such action as will heap upon the heads of the guilty parties the just reprobation which they deserve.

Mr. Bright, who was the able advocate of the people's right in the House of Commons, stated that this question should be submitted to the people at the polls, and knowing that the elections would take place in a few months, he asked that the law might not be forced upon the Province. Mr. Watkin, misled by Dr. Tupper, said the question had been discussed at every polling booth at the previous general election—that he, (Dr. Tupper,) had preached it from one end of the Province to the other. I ask you could Mr. Watkin have perpetrated such a statement as that? Could it have emanated from him? Any one who takes the trouble to read the speeches in the House of Lords, will see that the same belief pervades every line of them. They do not deny our right to be heard at the polls, but believed we had been consulted. If the hon. member for Inverness is correct in his views, how comes it that the Dominion Parliament, at the present moment, have passed a measure authorizing them to negotiate for the purchase of the Hudson's Bay Territory? If the British Parliament is entrusted with the control of such matters, why do they not legislate away the rights of the Hudson Bay Company, and bring it into the Dominion, as has been the case with Nova Scotia? It appears, however, that they have to enter into negotiations with the Company and purchase it. But I would remark that I have always understood that the right with regard to our mines and minerals was vested in the Crown, and it is a notorious fact that, although the Duke of York fully intended to make a conveyance to Rundell & Bridge, it was never done, but, as it was intended to have been done, it was decided that Rundell & Bridge should be treated and negotiated with, as though the lease had been executed, before we could get control of our mines and minerals. On a former occasion I promised to show the hon. member for Inverness that, in a financial point of view, great injustice had been done, as we find the framers of this Bill have given the power to the general Government not only to tax us indirectly, but by every mode they may think proper. I stated that I was ready to prove satisfactorily in point of fact, that we did not receive one

cent from the Dominion Government. Our revenue at the end of the year 1866 is set down at \$1,126,870. We find now by the Tariff introduced at the first session of the Dominion Parliament, we have some \$600,000 of an addition in taxes. Then the 80 cents a head we receive can be taken out of that \$600,000, therefore they gain over \$200,000 by the transaction. But the matter does not end here. Our revenues during the past ten years have increased something like 250 per cent., and, in all probability, our financial prosperity would continue to increase. But however greatly the revenues of this country may increase, we are tied down to this 80 cts; although our revenue should realize three or four millions, we will derive no further benefit. I believe the Union Act was hurried through the House of Commons in such a hasty manner that they have overlooked these facts, or otherwise they would never have perpetrated such a wrong upon this country.

The gentleman who addressed the House before me has given many useful details respecting the tariff. He forgot, however, whilst noticing a variety of items, to notice the tax on Indian corn. The hon. member for Inverness treated it with a sneer; but look at the state of our province at this moment. From Cape North to Cape Sable our fishermen are in great distress, and the very article they require the most is taxed. Not only are our fishermen deprived of the means of getting their bread cheap, but the article we might have imported and ground into food in the province is taxed; hence our millers are deprived of a benefit also. The hon. member for Inverness told us that our country under the British Crown that would attempt to introduce a tariff that would be restrictive would be acting contrary to its true interests. I ask the hon. member for Inverness if the tariff that has been introduced by Canada is not to a great extent carrying out this principle? I think he must be blind if he cannot see this. I endorse the opinions of gentlemen on the anti-confederate side with regard to this tariff that has been passed by Canada, and I have no doubt whatever that instead of seeing the tariff decreased, it will be largely increased, and be made more distasteful than ever to our people. In connection with this, let me take up the address of the Financial Minister of Canada, Mr. Rose, when he brought down the tariff into the Dominion Parliament. He said:—"It cannot be supposed, from the circumstances surrounding me, that I could bring down such a tariff as would suit all parties and purposes at present, but by the time we meet in March I have no doubt in my own mind that I will furnish such a tariff as will stand and meet all the burthens for five or six years." I believe in my own mind, and from what Mr. Rose said, that the tariff will be largely increased.—for what have we seen? The Dominion Government have succeeded in having a bill passed in the Parliament authorizing that Government to negotiate for the purchase of the Hudson's Bay Territory, and for assuming the whole control of the Intercolonial Railway. When a government becomes possessed of such a gigantic power as that, depend upon it, ex-

travagance and corruption will be the inevitable result. When we come to look at the burthens the government will be obliged to meet, who doubts that the tariff must go up to 24 or 30 per cent. before three years have passed away?

Now, I will turn the attention of the House for a few moments to the history of the old thirteen States, and I would say that they, like ourselves, were once Colonies of Great Britain—they were once desirous of remaining in that Empire; but the stupidity of British statesmen imposed taxes and burdens upon them without their consent, and what was the result? They rebelled, and the consequence was that the mother country lost these Colonies; and if the hon. member for Inverness had studied a little deeper than he did, this question, he would have found that serious collisions took place at that time in the House of Commons between the very statesman he has cited as an authority and Lord North. I need not recapitulate all the circumstances that occurred, but the loss of those old Colonies has by all right-thinking men been considered a misfortune. But times are changed, and in our day we will find a very different spirit actuating the statesmen of England; and I feel also, when this case is brought fairly before the British Parliament they will reflect carefully on the matter, and in all probability remember how it fared with the old thirteen Colonies on this side of the water simply because they would not submit to acts of injustice.

We have been assailed by the hon. member for Inverness, and it has been spread broadcast over the country, that every member who opens his mouth in defence of his constitutional rights must be a Fenian or a traitor. No, sir, it is the very reverse. It is because loyalty has been born with us—because it has grown and strengthened with our strength, that we feel it to be our duty to go fearlessly to the Parliament of England and warn the statesmen of that country of the consequences that may ensue from forcing us into a detested Union. We would be recreant to our duty and to our Queen if we acted otherwise than the way we are doing. Any gentleman who pretends to know anything about the political agitation that prevails at the present time can see, North and South, East and West, a heavy swell on the political ocean of our country, which indicates a storm. A storm will arise, and the only thing that can allay it is the knowledge that our wrongs will be righted, and our constitution restored to us. Will any member rise and tell us that a Government like that of Great Britain, who have spent their thousands and thousands to liberate the African slave, will willingly keep 350,000 loyal subjects in a position of abject servitude and humiliation? None of us will believe that they will act otherwise than with justice to us until we learn it from the acts of the Imperial Parliament itself.

Now I will make one or two observations with reference to the resolutions before the House. In view of all the circumstances connected with our present position, I think it is incumbent upon every man who has been sent here to represent the interests and

wishes of the people of this country, and bring as far as practicable the fact to the notice of the British people and the Parliament of England that there is a feeling existing in this country which can by no means be abated except by the repeal of this obnoxious Act. I feel that I would not be discharging the duty imposed upon me unless I took the first opportunity of expressing these sentiments distinctly to this House and country. They tell us that people have been influenced by other matters than the mere question of Confederation. I reply that as far as our country is concerned I see that no other reasons influenced the elections except the hatred of the people to this union. I will venture to say that if this question was submitted tomorrow, and every other question shut out, the people would return to this House the same gentlemen who now sit on these benches and no others. Am I to be told that the Parliament and people of England will not understand all this? Am I to be told that because the wealth and intelligence of the city of Halifax (supposing that to be so for the sake of argument) are in favor of union, therefore the Parliament of Great Britain should decide against us? Will any one argue that the Parliament of England would adhere to a particular question effecting the empire because the wealth and intelligence of the city of London happened to be on a certain side. As respects the Province generally, where is the difference, and I do not except the city, despite what the hon. member says to the contrary—there is a widespread aversion to our continuance in this union.

I may say that I have listened with great pleasure to every address that has been offered on this question in favor of these resolutions. I am gratified to see so much unanimity and such determination of purpose. Let no one attempt to mark us as disloyal now. If we were inclined to exhibit disloyalty we would not seek redress in the constitutional manner we are doing. Here you see this body of representatives and His Excellency carrying on the public affairs most harmoniously. We are going to fight our battle constitutionally, but I feel and realize the position that the gentlemen who have bartered away our rights occupy. They went home to England high in power and persuaded the British Parliament to pass an Act of a most tyrannical character—such an Act as cannot be found in the annals of any British dependency—an Act handing over all our rights, revenues and privileges to Canada. Now we go home to represent the people, and show our Sovereign and Parliament the great injustice that has been perpetrated upon us. We say to Her Majesty in so many words:—

“The gentlemen who were here before were men whose words were worthless, they were men who betrayed their country, and deceived your Government.” Do we wonder then that the men who carried this scheme shrink and tremble as they now do. They know that misrepresentation will no longer avail them. I believe that a fabric built upon a foundation of falsehood, misrepresentation, and corruption can never stand, but that the spirit of liberty will tear it down to the ground. Let our opponents say what they

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may we shall have restored to us that glorious constitution under which we have lived and prospered so long—under which our revenues have largely increased from year to year, and under which the people have enjoyed every happiness.

The House then adjourned.

SATURDAY, February 15.

The House met at 11 o'clock.

Hon. J. FERGUSON introduced a bill entitled an Act to amend the Act incorporating the Mira Bay Harbour Co.

Mr. PINO presented a petition from the trustees of Picton Academy, praying that no alteration be made in the existing school law. He asked that the bill relative to the Scotia Coal Company be read a second time, but his request could not be granted, as it might interfere with the debate on the resolutions.

Mr. COPELAND presented a petition in reference to a poor section.

The adjourned debate was resumed.

(Mr. Kidston's speech concluded.)

Mr. KIDSTON continued:—I closed my observations last evening with the remark that it was my firm conviction, and I believe it to be the firm conviction of every well regulated mind in the Province of Nova Scotia that the fabric which we have seen raised on the foundation of corruption when assailed by the force of truth and fact will crumble into dust. This Confederation reminds me of an anecdote which I remember hearing of a certain horse trader who was thus accosted by the man who had just purchased one of his horses: "My good man you have got my money, and I have your horse—now that the bargain is concluded tell me his faults while we take a bottle of ale together." The reply was "well the horse has only two faults,—one is that when you let him loose he is hard to catch,—the other is that when you have caught him he is not worth a cent." Our bargain is as bad as that one. The measures of the very first Ottawa Parliament give us full evidence, as far as Nova Scotia is concerned, that the legislature of Canada is un-British in its principle, arbitrary and despotic in the exercise of power. We have full evidence, as far as patronage is concerned, that it has been denied to those who went there to advocate our interests; for our members were told "you must swallow your Anti-confederate principles and support the Canadian Government at all hazards, or walk; you need not otherwise ask us to make this, that, or the other appointment." That is the actual state of affairs. I will now confine myself more particularly to the 5th clause of the resolution, for that embodies a great deal. The hon. member for Inverness said that we had been generously dealt by—that the Dominion Government had paid \$600,000 more than they had received from Nova Scotia since Confederation. All I can say in that case is that he has placed himself on the horns of a dilemma, for if that be the fact, how has it come to pass? By the statement of the Finance Minister, just before Confederation took effect, it was shown that

we had an overflowing treasury, money sufficient for all our demands, and with only six months experience of the Union, we are told that the Dominion Government have been obliged to advance us \$600,000 over and above what we have paid into their treasury. But the change is easily accounted for. Look at the system on which the Union is financially founded. Look at the Governor General's salary, and take that as a criterion. \$50,000 has to be raised in a Dominion comprising four millions of people to pay its first officer. Contrast that with the sum which the United States, with a population of 34 millions, pay to their President. The sum paid in that country is \$25,000, and the difference is greater than at first would appear, for the salary of the Governor General is paid in sterling money, the amount in gold being equal to-day to \$80,000 of the currency of the United States. And are not the salaries of all the officials appointed under the Dominion Government proportioned to that enormous salary of the Governor General? Is that the management that was to be expected? One would have supposed that the Government of Canada, with the experience of the past before them—with a knowledge that, through financial bungling, they have reduced the state of their country almost to bankruptcy, would have had a care how they governed the Dominion. Take the statement exhibited in the Journals of 1866, and what do we find? The figures shew that their whole system was unsound.

The Canadians were involved in a debt of sixty-four millions or more, and at the present moment I think I am correct in saying that that debt is nothing less than seventy-five millions. Mr. Archibald tried to persuade us that our debt exceeded that of Canada, taking man for man of the population. Let us see how that assertion tallies with the fact. Assuming the debt of Canada to have been sixty-four millions and upwards, and her population 3,560,000, while the population of Nova Scotia may be put at 350,000, we see the debt per head on the Canadians will be \$25 while that of the Nova Scotians will be only \$15. Now, then, to show the unsoundness of the arrangement, put down the debt of Canada for two Canadians at \$50, and the debt of two Nova Scotians at \$30,—this produces \$80; and if you divide by four you will have the debt per head of the Dominion, and the calculation will prove that every man, woman and child in this country is put in for \$3 per head more of debt than he has any reason to pay. This \$3 per head gives us for the whole Province nearly a million of dollars which we have done nothing to make ourselves liable for. I find, circulated through the country, the statement that if we had not been confederated we must have increased our tariff. This is merely one of the assertions, used by the Opposition, which they are unable to prove. I contend that such would not have been the case. It is acknowledged on both sides that at the date of Confederation coming into force we were in a most prosperous condition. Our revenues had risen from \$660,000 to \$1,228,570. Judging the future by the past, I should say that it would not be neces-

sary to increase our tariff by one per cent to meet all our requirements. But the fact is that as soon as ever you back the Confederates out of one false position they drop into another equally ridiculous. First they told the country that our taxation would not be increased, now they are trying to persuade the people to give a fair trial to the system; they say "it is not right to prejudge matters—do not ask for the repeal of the Act until you give it a fair trial." I ask if that is logical reasoning. It is about as sound as for the watch, set at the bow of the vessel, entrusted with the care of thousands of lives, and, seeing breakers ahead, to fold his arms and say: "well, there are breakers ahead, but let the ship run on, and will see whether the rocks or the ship are the hardest." Would the captain accept such reasoning as that from his watch? The hon. member for Inverness turned attention to Cape Breton, and cited her history as a proof that the Imperial Parliament had the power to legislate away the constitution and revenues of a country. I thought he was better acquainted with the story of the Cape Britain Union than that. He said:—

"The Island of Cape Breton possessed a separate constitution; it had a Governor and a Government of its own independent of the Province of Nova Scotia. The House of Commons came in, and by a single Act, containing perhaps not a dozen of lines, amalgamated the island with Nova Scotia. The island was given only two members in a Legislature of forty men."

The island, it will be remembered, had no Legislature of its own. I believe I am correct in stating that it petitioned to be annexed to Nova Scotia. I know that parties were sent home to dispute the legality of the Union, and to carry the matter before the Privy Council, and I think the delegates then had thrown in their teeth the fact that that petition deprived them of the right to the repeal they solicited. The hon. member is also in error in saying that we had two representatives; we had only one at that time. But what does this illustration go to prove? Many in Cape Breton think it proves substantially the very facts which we are propounding to the people of Nova Scotia; they say that the island could never procure justice at the hands of the Government of Nova Scotia until it obtained additional representation.

The hon. member touched, Mr. Speaker, on grounds which, if followed out faithfully and truthfully, would show his position to be false and untenable. We know that nothing like justice was done to Cape Breton up to the day when we had four representatives, and even when that number was doubled it could not be said that we were receiving a fair consideration for the money that we were paying into the treasury year after year. That is the position the hon. member puts himself in when he talks about Cape Breton. All throughout, the arguments of the Opposition remind one of the anecdote of the white man and the Indian who went on a shooting expedition with the understanding that at night they would meet and divide the game. The white man shot a crow, and the Indian a black duck, and when they met the white man proposed to make the division,

and said, "Suppose you take the crow, and I will take the duck; or I will take the duck, and you take the crow." "Well," said the Indian, "what for you always say crow to me?" There is too much crow, and not enough duck, in the hon. member's logic. I feel that in submitting our request for repeal to the intelligent people and Government of England, and to our beloved Sovereign who sits on the throne of Britain, we are appealing to those who have hearts to feel and sympathize with the wrongs of our people. I believe that when our Sovereign fully comprehends our story her ear will be open, to our petition, her heart will respond to our desire, and that she will without hesitation demand that her Parliament restore us to our original condition, and to the rights and liberties which were founded on the British constitution.

I think it can be shown that the Parliament of the Dominion, in its first session, has departed from everything like British principle, and has shown a determination to treat us in a way too arbitrary to be submitted to by any free people. Do you think that the eyes of British statesmen will be blinded to this truth? We know that if the sentiment of love which is planted within the human heart, whether it be loyalty or any other species of affection, be treated with contempt and spurned, the mind takes a reverse action and that love is turned into undying hatred. May I refer you to the thirteen lost colonies in proof of my position? There we saw loyalty as true as that which prevails in any part of the British dominions to-day. That loyalty was turned into hate at the rebellion; but when the rebellion broke out in the United States, and brother was arrayed against brother, many thought that their hate to England would die out, but there was nothing that could obliterate the hatred of the old colonists to Great Britain. There is a proof that love trampled on and spurned becomes undying hate, and hence the consequences. I ask will British statesmen trample on the rights again of another colony. Will they, with the lessons of the past, and looking at the geographical position of Nova Scotia which makes her the stronghold of the continent, attempt to force us into compliance? The hon. member for Inverness tried to persuade us that England would force us at the point of the bayonet, but would she run the risk, knowing that Nova Scotia is the Gibraltar of this continent, of having love turned into hate in this Province, and of the consequences which must follow? I know that that hon. gentleman is capable in some instances, more especially in courts of law, of making "the worse appear the better reason," but I doubt that he can convince the statesmen of England that we have been justly dealt by. I will state one or two facts to show the position to which our affairs have come. I was asked by several of my constituents to get one or two way offices established, and to have some slight change made in the post rides; but how was I met when I touched upon the subject in conversation with the Post Master General? I respect that officer as a thorough and courteous business man, but the first thing he asked me

was, "have you seen Mr. Blanchard on the subject?" That shut me out from asking anything further. What, has it come to this that the postal affairs of the whole Province are hanging on the lips of that hon. member? Have we been reduced to such degradation? It is time for us to be up and doing if we have come to that, and let England know that beyond a certain point mortal flesh cannot submit. When the insult has become so glaring it is time that the country awoke to a sense of its duty. The treatment to which I have referred is of a piece with the treatment of our representatives in the Dominion Parliament. I ask are Canadian pets to preside over our affairs?

As I have said before the constitutional right of the people to be heard on any change in their institutions has been ignored. That right has been vindicated now by the people's advocates outside of and in this House. The hon. Joseph Howe has buckled on his armour, and come forth to do battle for Nova Scotia. When he was fighting for the noble principles of responsible government, which we so long enjoyed, and which made us a happy and a prosperous people, the then Secretary of State for the Colonies pronounced the doctrine that the Government in this country was based on the well understood wishes of the people. We have been told that our constitution has been swept away and is revocable. I will not believe that statement until we have it from the lips of our delegates. Who will attempt to say what would be the consequences then. I believe that the news which they will bring will be cheering to this country. I believe that justice will yet be done; and if this were not the opinion of the people, we would not see peace and loyalty throughout the land, as at present existing. Ours are a loyal people, proceeding in a constitutional manner, and we will wait until the message comes. If that message should be favorable our rejoicings will be unparalleled; but if it be the reverse, it is impossible to foretell the consequences.

MR. BLANCHARD.—I take this opportunity of enquiring from the hon. member if the post rides of which he has spoken, do not run through my county? If he declines to reply, I will communicate with the Postmaster General.

#### MR. LAWRENCE'S SPEECH.

Mr. Speaker,—When I survey the magnitude of the great question before us, which involves the largest interests of the people of Nova Scotia, and which must exert a powerful influence, for good or evil, upon their fortunes, I experience a sense of responsibility which is almost painful. But, sir, it is not my purpose to enter into any lengthy remarks on this question; that ground has been fully explored, and I should hardly hope to come back with a single discovery; our dealing with this question is not so much for long speeches, as to act and decide, as regards the restoration of the constitution of Nova Scotia. It is the duty of the representative to sacrifice considerable to his constituents. But in his unbiased opinion he ought not to sacrifice to any man, or any set of men living. They are a trust from Pro-

vidence, for the abuse of which he is deeply answerable. And, sir, I hope that wisdom and moderation will be displayed in dealing with any question that may come up for discussion. The question before this House is most vitally connected with the liberty and well-being of every man in Nova Scotia; which being decided one way, he may be a free man; which being decided the other, he will be under Canadian rule. And, sir, I cannot find words to express the horror I feel at the outrageous action of the men who sold the liberties and rights of a free people. I must confess, sir, that I have listened to the hon. member from Inverness with a good degree of curiosity. He made a violent attack on the Government with all the fury of a lion; and pours out all the vials of his wrath upon their official heads. But I shall leave the Government to answer for themselves. Nor is he willing to stop there; he goes on to assail the whole House; and gave a challenge to any five or six of them. But, sir, when I look round these benches, and see him surrounded by thirty-six men, I can make all allowance for his fury. And thus looking at the hon. gentleman's position, I must admire his courage. I know he has a hard road to travel, and therefore I would say to him in all good feeling and brotherly love, have charity in all things, and do not work so hard against the current of public opinion.

Now, Mr. Speaker, it is not to be conceived that a people who have enjoyed the light and happiness of freedom, can be restrained and shut up in the gloom of tyranny and degradation—all progress requires effort. The human mind never rests contented under difficulties, nor yields to the pressure of tyranny without a struggle. It naturally resists oppression and force in all their forms. When it is deprived of what truly belongs to it (as a matter of course) it calls in all its forces, and prepares to regain its own. Such a question is now before us and before the people of this country, and which involves the same principle. The people of Nova Scotia are deprived of what truly belongs to them, and they expect the men whom they have elected to carry out their wishes in seeking for a repeal of the forced and obnoxious British North America Act, and to use all lawful and constitutional means to restore again the right of self-government and the free enjoyment of British liberty, which was obtained for Nova Scotia by the energy and ability of the Hon. Joseph Howe and others, and granted by the Queen and Parliament of Great Britain. But we have been handed over to a set of men who are far away, and who care nothing for us or for the preservation of those interests which are as dear to Nova Scotians as the blood that circulates through their veins. Now, Mr. Speaker, this is no party question, it far transcends all party considerations, and strikes as deeply and fatally at the rights alike of Conservative and Liberal. The people of this country, of all parties, have nobly entered their solemn protest against the outrageous action of the men who sold their country, and which deprives Nova Scotia of self-government in the control of their own revenues, in defiance of every principle of free



constitutional rights, British justice, and fair play. But they adopted the principle that might makes right, and in that spirit laid their sacrilegious hands upon the constitution of the country; and, sir, if this Confederation Act is not repealed so far as regards Nova Scotia, Nova Scotians will be very little better than servants to the Dominion Parliament; which will, on all occasions, laugh to scorn anything in opposition to their policy from the nineteen members representing Nova Scotia, although backed by the members from the other Province. Canadians may differ or quarrel among themselves; but whenever a question will come up effecting the interests of the Lower Provinces, they will unite against us, and therefore we need never expect any kind of fair play from a Government with so large a majority against us.

"Oh," but some of the Union men say, "you have punished the men that betrayed you, now turn too and go in for the Union." But, sir, I think different; it is not so much a question of punishment, as it is the recovery of the rights and liberties of the people of Nova Scotia. Now, sir, it is well known that death was in the pot for the last four years, and unscrupulous schemers broke in upon our rights, and took possession of all we enjoyed, or is worth having in any free country. With false statements and cunning deception, the Government of England was made to think that the people of Nova Scotia were willing and desirous of a union with Canada. All our appeals were of no avail; the people's petitions were unheeded; all on account of misrepresentation from a few ambitious and interested agitators. Now, sir, what have been the result of the statements made to the British Government that Nova Scotia was in favor of a union with Canada? Why, sir, on the 18th September last, the voice of the people coming up from the eighteen counties of Nova Scotia, condemned and drove to the wall the forsaken remnant of those, who up to the very last hour of their power, ceased not in treating the people with scorn and contempt. No wonder then, that the voice of the country has spoken out with a sound not to be mistaken, against a Confederation that has been forced upon them. The people of Nova Scotia have done too much not to do more; they have gone too far not to go on; they are brought into that situation in which they must either silently abdicate the rights of their country, or try constitutionally to restore them. Canadians may talk plausibly, to Nova Scotians, but so long as they exercise a power to bind this country, so long will the chains of the one go against the liberty of the other. I love the old constitution; I have confidence in the integrity and capacity of the people of Nova Scotia to govern themselves as in days gone by. I love the good old flag of England, I was born under it, and I hope to die under it. But I have no desire to live under Canadian rule; I love freedom too well for that. Our cause may meet impediments, and may for a time be defeated; but ultimately must triumph, for

"Freedom's battle once begun,  
Requented from bleeding sire to son,  
Though belied oft, is ever won."

Yes, sir, our claim is strong, based on the eternal principles of right; and is it possible that a thing so grievously wrong as this uncalled for and forced Union with Canada can triumph? No, sir, the people of Nova Scotia know their rights, and will never submit to be kept in leading strings by Canadians. If the people are to be lulled to sleep, in the very crisis of their country's salvation, who, then, is to decide? Not the intriguers and interested office hunters of the country. No, sir, the voice of a majority of the people is the proper channel to decide in such matters, and keep in their own hands the result of the hard labor and toil of their youth. Look at the outrageous tariff that the Canadians have forced upon us, and what do we get in return? Why, they say, "O, you shall have 80 cents a head of your own money back." This, I suppose, is one of the glorious benefits that we were promised under Confederation.

We now have to pay one-third more tariff than we formerly paid, and receive nothing in return but a little one-sided charity, or something like a pension, to meet the local demands of the country; we have to pay taxes to support this outrageous Confederation, in defiance of the voice of the people of this country. And, sir, that union of heart and spirit which is absolutely necessary for our people will never be brought about by forcing on them high tariffs, and other distasteful acts. The people of Nova Scotia never asked for a union with Canada, and the subject would have slept if it had not been for a few aspiring and interested politicians, who kept the question alive, and forced it upon the people by means best known to themselves.

We have heard a great deal said of late about public men changing their opinions; why, sir, public men must certainly be allowed to change their opinions and their associations when they see fit. Men may have grown wiser,—they may have formed more correct views of public policy. Nevertheless it must be acknowledged that when a sudden, and what appears to be a great change, takes place, it naturally produces a shock. I confess, sir, that I was shocked at some latter day conversions — conversions that seemed to take place almost in the twinkling of an eye. Such movements of the affections, whether personal or political, are a little out of nature. When we see old political enemies, abusing each other in all that is vindictive and malicious, and suddenly falling in love with each other, it cannot fail to make a deep impression on the public mind.

Look back at the Irish union; it was no union of the people, but only a scheme of politicians, and it is very clear that if Ireland had never been betrayed, if her representatives had never been bought and sold, there would be very little to dread in regard to Fenians at the present day. History say, "that the partnership of Ireland with England was secured by British gold." Ireland was sold through her false sons, corrupted and induced by men who are held out before the world as traitors to their country. Take, for instance, the case of Castlereagh; it is said he bought and sold his country; his conscience was his punish-

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ment while he lived; and though he has been dead many years, his evil reputation lives after him. Our constitution has been seized upon, and bartered away to Canada without the consent of the lawful owners. And, sir, it is the duty of the people, the rightful owners, to use all legal and constitutional means to regain what has been forced from them. I desire to see Nova Scotia free from the control of Canada, and unfettered as the winds of heaven. If I stood alone on this question, I should feel it the greatest pride of my life, to vote for a repeal of this forced Union, and restore to the people their free constitutional rights. The people of this country want nothing but fair play, and the Government that tries to force anything else upon them, will only be sowing the wind to reap the whirlwind. Sir, this Confederation with Canada was conceived in sin and brought forth in iniquity. Wherever the civil rights of a country is not associated with the Government, and the people understand that the Government may be one thing, their freedom and privileges another, the attraction to hold them together is lost. It is well known that the self-appointed delegates misrepresented the sentiments of the people of Nova Scotia; it was asserted that after a calm and mature consideration, they had pronounced their judgment in favor of a Union with Canada; of this assertion not one syllable has any existence in fact, or the shadow of fact. Sir, to affirm that the people of Nova Scotia was in favor of what they were against; to make the falsification of her sentiments the foundation of her ruin, and the ground of this distasteful Union, can best be answered by sensations of astonishment and disgust.

The time is come to look out upon the whole sweep of the horizon which encircles Nova Scotia, with a firm purpose to do our duty to the people of every part of it. I have opposed Confederation with Canada throughout. I stand acquitted to my conscience and to the country; and I now protest against it as tyrannous, oppressive, and unjust to the people of Nova Scotia. Although Nova Scotia is young yet we have a right to be proud of her; we have enjoyed the blessings of responsible government, the best and freest in the world, because self-government gives a power which no other form is capable. It incorporates every man with the country, and stimulates a spirit of liberty and strength. Is it then to be conceived that a people, who have enjoyed for many years the light and happiness of freedom, can be restrained and shut up in the gloom of slavery to Canadian rule? No, sir, you might as well try to stop with sand the running of a rapid river; the only consequence of such an attempt would be a temporary suspension. The forcing stream would find its way through new channels, and would spread destruction and ruin on every side; therefore the progress and liberty of a people are like the progress of the stream. Kept within its proper channel it is sure to make fruitful the country through which it runs; no human power can stop effectually its passage; and short sighted as well as foolhardy must be the man or men who would engage in such an under-

taking. The Government of this country for some time back have not been represented by the true feeling of the people, because it has been too much influenced by passion, prejudice, or party interests, which may often give to the Executive apparent strength; but no Government can be either lasting or free which does not create confidence and energy amongst the people. The people elect their representatives to act under the constitution, to alter it,—they are appointed to exercise the function of legislators, and not to transfer them without the consent of the rightful owners. To have power is one thing, and to do right is another; so if the late Government had power to pass an act to change the constitution without the consent of the people, surely this Government have greater power (having the voice and true feeling of the people) to pass resolutions asking for a repeal of this forced Union. If this country is to be rescued from the perils which she is under, it must be done by an outspoken, manly, truthful, and bold declaration of the sentiments of the people of Nova Scotia. We ask no more than to be left in the enjoyment of the rights which God has given us; and if these rights are not restored again it will be hard to keep down the elements which exist in the breasts of an injured people.

It has been said by many of the friends of this forced Union with Canada that but for a few party politicians the scheme would have met with no opposition. This, sir, is no new strain. It has been surr a thousand times before. It has always been the tune of a weak Administration. Did ever you hear a minister acknowledge that the evils which fell on his country were the necessary consequence of his own incapacity or his own folly? What man (wherever he may have been) that has been in the possession of political power ever yet failed to charge the blunders and mischiefs resulting from his own measures upon those who had uniformly opposed those measures? Look back at the administration of Lord North. He lost a large portion of America to his country, yet he could find pretences for throwing the odium upon his opponents. He could throw it upon those who had forewarned him at every stage of his disastrous policy. O, no! it was owing to no fault of his administration; it was the boldness of Chatham, Fox, Burke, and others. These men, and men like them, would not join him in his American war. They would not join what they considered to be extreme folly. They declared him to be wanton. They pointed out plainly, both to him and the country, what the end would be; but he declared their opposition to be selfish and factious. He pursued his course, and the result is in history. It is an old and constitutional right of the people to canvas public measures and the merits of public men, and to demand from them an account of the trust reposed in them; and a people who would be afraid to call their representatives to an account for their actions in Parliament would deserve to be blotted out of all the records of freedom. They should not dishonor the cause of self-government by attempting any longer to exercise it. They should feel ashamed, and

keep their unworthy hands entirely off from the cause of responsible liberty, if they are capable of being the victims of tricks so stale, so often practised, and so much worn out on serfs and slaves.

Now, Mr. Speaker, we meet here to look after our ship of state, and while a plank, a timber, or any part of her holds together, we should not forsake her. She has been disturbed and drove from her anchorage, yet she is still afloat, and is now freighted with the hopes and liberties of the people of Nova Scotia, she is now under canvas, and close by the wind with a good strong breeze; and although there may be some breakers ahead, yet I trust that she has a captain and crew that has already acquired an energy of advancement that will support her course clear of all the rocks of opposition, and bring her back to her old anchorage, under the good old flag that has braved for a thousand years the battle and the breeze.

Now, sir, we have heard a great amount said about constitutional law. That is all very well for legal minds to contend about; they will try to make the black side white and fair. But, sir, there is a law that stands far above all such law, a law of justice and fair play, that is enshrined in the hearts of the people, planted there by the God of nations. It is not a collection of abstract essays on public questions of right or wrong. This is a law which is never silent; it speaks in the midst of armies; it is as diffusive as the air we breathe; it spreads itself by a sort of majestic influence over land and sea. Taking its rise in a sense of right, which even in early times was powerful enough to vindicate itself, it has gathered now strength with the advance of civilization, and it is attended in this age by sanctions which no people may disregard. Sir, we may glance back at the American contest with Great Britain. The war of the Revolution was undertaken in defence of a great principle; the spirit of liberty revolted against taxation, which was too light to be felt as a burden, but was too great a violation of principle to be borne by men who were jealous of the encroachments of power. They snuffed oppression in the tainted gale, they struck for freedom, and in the mighty struggle which ensued they had the sympathy of mankind, and the contest undertaken for liberty ended in independence.

But, sir, I believe that when our case is properly understood on the other side of the water, that England will do us justice. When I take into consideration the feeling of the people of this country, I feel my share of the great responsibility of this House. The country is in a crisis. I feel it to be a crisis; and I am ready to say God speed to the man or men who shall carry us honorably and safely through it. Now, Mr. Speaker, in conclusion I desire to say a word in regard to the question of disloyalty that has been charged against a large majority of the people of Nova Scotia. We who stand up and vindicate the rights of the people, have been called rebels, traitors, and annexationists. Now, sir, I would ask, was O'Connell a rebel for asking that his countrymen should have equal rights with other British subjects? Was Sir Robert Peel and the Duke of Wel-

lington rebels when agitating for a repeal of the Corn Laws? Were all the great politicians of England rebels, who from time to time agitated a repeal of the laws which they believed unfair to their countrymen? No sir; a thousand times no. I am fully convinced that every argument urged against the step we are called upon to take, might have been advanced with equal justice against any of the changes I have enumerated. O, but many of our opponents say, that the people of Nova Scotia are ignorant, and are not capable of judging for themselves—that they do not know what freedom is, and that they have no right to name freedom till they are fit to use their freedom. Why, sir, such a doctrine is very like the man who resolved not to go into the water till he had learned to swim. If men are to wait for liberty till they become wise in slavery, they may, indeed, wait forever.

Sir, the cry of loyalty will not long continue against the principles of liberty. Loyalty is a noble thing; a judicious principle; but loyalty not associated with liberty is only a corrupt principle. Sir, you may boast of a union with Canada, but you have no union of the people. Any Act of Parliament that would destroy the liberty of the people is not worth the paper that it is written on; it is dead born from the womb. Sir, the bulk of public opinion of Nova Scotia are before this House, and say, we want our liberties—we received them from God, and we will not resign them to Canada; and we ask for a repeal of this wicked and forced Union. Therefore, you men of Nova Scotia, cherish liberty as you love it; cherish its securities, as you wish to preserve it; and be true to God, to your country, and to your duty.

Our opponents may boast of their bone and sinew, wealth, intelligence, respectability, virtue, and everything that sounds glorious; but, sir, what does a majority of the people of Nova Scotia say? We mistrusted your political conduct all along, but now we have weighed you in the balance, and you are found wanting. We have paid you off for your shortcomings, and sent good and trustworthy Antislavery men to take your place—men in whom we have confidence.

I have spoken out freely what I have felt it my duty to say; we must look the dangers which threaten us in the face. The people of this country look to the action of this House with the deepest interest, and I trust that the action of this House will fully meet their expectations. And, sir, those who are now contending for the rights of the people, may be barked at and denounced for a time; the surges of opposition may dash against us; but when the storm is gone by, reason and truth will triumph. I hope, therefore, that for our own sakes, and for the sake of Nova Scotia, we shall act unanimously in voting for the resolutions now before the House.

#### MR. CHAMBERS' SPEECH.

(CONCLUDED.)

Mr. CHAMBERS said:—Last evening I was unable to conclude my remarks on this question, and I therefore take this opportunity of resuming, and promising to confine myself strictly to the question before the House.

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My desire is to shew my constituents that the vote which I intend to give will be intelligently and conscientiously given. When I ceased speaking I was making reference to the stamp act—an act grievously borne in the Province. It was such an act that caused the Colonies, which now form the United States, to revolt, although their loyalty was as true as that of any people within the Dominions. We never thought such an imposition would be put upon us. From all I can learn, this stamp act is likely to be most inconvenient in the operation. A man living nine miles from a Post Office, before he can draw a bill or give a valid receipt must go that distance for a stamp; the result will, in many cases, be that the business cannot be done. If a person wishes to draw a bill for a hundred dollars, and one cent over, the stamp will cost him six cents, and that must be lost if the holder wishes to proceed for its collection. The easiest way, in such a case, would be to forgive part of the debt. Was such inconvenience submitted to in any other country. Now as to the newspaper tax. Take the *Eastern Chronicle*, of which paper I think a good deal, because it did us a vast amount of good in the late contest, for example. It is published twice a week; the postage will be forty cents, and the duty, at fifteen per cent., on the paper will make twenty cents more, being three shillings additional which each subscriber will have to pay. This monstrous tax will bring the subscription up to thirteen shillings a year. The proprietors tell me that they expect a serious reduction in their subscription list as the result, for they must either take only seven shillings a year for their paper, or they must charge thirteen shillings to their subscribers.

It was said in the election contest that the Canadians would bring down their capital in abundance, and this statement turned a number of votes, because the young men thought they could easily obtain the means of going into business; but what was the result? Have we seen these prophecies fulfilled? It is true a new Bank has been established, but money instead of being at six per cent as before, can hardly be had at seven per cent. If the additional charge of one per cent benefitted our banks it would not be of so much consequence, but it is paid over to the Canadian treasury. We have been accused by the hon. member for Inverness of bringing forward weak arguments, but I might show the House at length how weak were the arguments of his superior, Mr. Archibald. In the Colchester contest we held fourteen meetings, and instead of talking about Confederation he spoke about the mines and minerals, and said, "you must support me because I helped to settle that question." But in the western part of the county at one of the meetings the people refused to hear Mr. Archibald at first, on the ground that he had refused to hear their petitions; but my colleague told them that if they wished to hear any one on the other side they must hear Mr. Archibald, and then they agreed to hear him provided he would stick to the question of Confederation. He promised to do so, and commenced at considerable length about the Acadia Iron Mines, and the steam works which were be-

ing erected there, stating that hereafter the company would have four millions of consumers instead of 350,000, as the iron would go duty free. This was a pretty forcible argument, and some one said, "how are you going to answer that?" "Fortune favors the brave," and so it happened that one of us had a copy of the Canadian tariff, and what was our answer? That under that tariff the products of the company's works went in duty free, and under Confederation it could go no freer. The people began to laugh at the hon. gentleman, and instead of attending the other meetings there he paid visits privately to the people.

At the next meeting he had five individuals to assist his cause, but he did not attend himself. A learned Doctor offered to show us some of the benefits of Confederation, if we would give him an hour, and the sum and substance of his argument was that we could make babies as cheaply here as in Canada. We cannot send manufactured goods to Canada, because their water power and machinery is so far superior to ours, and when we can get our machinery equal to theirs at present, they will be far in advance of us in the market. They get coal in return cargoes from England; they can get their iron cheaper than we can supply them, and the fact is they are now sending stoves down here to compete with our foundries. One of the arguments throughout the election, we know, was that manufactures would be established here, but now we find the Canadians sending down merchandise of all kinds. Will they take our butter and cheese in return? Not at all, for, while we heard a great deal about orders for cheese, the Montreal papers were stating that Halifax would be a good market for butter, if it were good. They will not take our pork, for in Halifax we see as many porkers from Canada staring us in the face as would make a dinner for every Confederate in the country. Orders for leather, it is true, came down at one time, but they were not repeated, for it was found that leather was no higher in Montreal than in Halifax, and the orders, in future, for that article, are not likely to be of any considerable amount. They will not carry cargoes of our coal in steamers, but it is said they will take our gold. That reminds me of a society of attorneys in London who agreed that they would take nothing but gold from their clients; in a short time it was found that one of their number had taken silver, and, on being brought to account, his excuse was that he had taken all the man's gold first. Another was found taking coppers, and his excuse was that he had taken all the gold and silver. So these Canadians, after taking all our gold, will take our silver and copper also. Why should we pay more for a Canadian article that we can buy cheaper in England? What we want is to be allowed to get our goods where we choose. I now will show you what is said by an advocate of Confederation on this subject. The *Christian Messenger* is a good authority on most subjects, but it appears to have gone wrong, somehow or other, on the subject of Confederation. What does this paper say when it finds the shoe pinching its own corns?

"Another highly injudicious tax is that of 15 per cent on the importation of paper. This duty was long ago abolished in Great Britain as a barrier to the spread of information and a relic of the dark ages and yet we are to have it imposed on us at this day. The object of the impost is doubtless to encourage the manufacture of paper in this country. But we do not think the publishers throughout the Dominion should be made to pay a tax for the purpose of benefitting four or five manufacturers, who cannot compete with other countries, let us have a free trade in this article so essential to the mental food of the whole people. We protest against this as a decided retrograde movement."

What we want is free trade all over the world. We are told that we should try this Confederation, but I am quite satisfied with what I have seen of its operation during six months. Here I remember a little story told of the King of Abyssinia and a Yankee, who told him that he would teach his donkey to read in fourteen years' time if he was paid a sufficient sum of money. Now the King of Abyssinia puts to death all those who do not keep their promises, and how do you think the Yankee looked at the matter. I will take the money, he said, and live comfortably for the fourteen years, and by that time either the donkey or myself or the king will be dead. So it will be with us. If we try Confederation for a few years we shall either see its advantages or we shall all be dead. Wherever we look over the face of this country we see opposition to the Union. Farmers, fishermen, mechanics are all opposed to it, and demand repeal. The majority of the bankers and capitalists also entertain the same opinions. This feeling originated among the people themselves, and has not been stimulated by politicians as certain gentlemen would have us believe. It is the duty of every patriotic Nova Scotian to oppose this Union. I must say we would willingly pay Mr. Blanchard \$100,000 if he would get us rid of this detestable yoke that is now upon our necks.

But the hon. member asks, What will happen if we do not get Repeal? I have heard that question asked before. "What then?" is a momentous question. I asked a gentleman the other day how he would answer it. He replied, "Mr. Chambers, I advise you to be careful of your property; we have a large stake in the country, and whatever you do, seek a change in the law." But suppose we cannot get a change? He would not answer that question. I say that the people of Nova Scotia are loyal now, and wish to continue so, and if they only get Repeal, they will be ten times more loyal than ever. They do not seek Annexation, we do not wish to participate in the war debt of the United States—it would be a greater victory to get Repeal without Annexation. We wish to live as we have lived. We do not ask for a Republican form of Government or any change in our institutions. We do not wish to elect our own Governors; but I believe that the man who gets us Repeal will become our Governor somehow or other, for the people will be so delighted they will have a mock election, if they cannot do anything else. We only wish to be placed where we were before, but, if the agitation continues, I cannot answer for the people. I know that they are determined to have Repeal, and if they do not they will be exasperated. Whatever the consequences

may be, the Confederates will be answerable. If they go on exasperating the people as they have been doing, they will drive them into Annexation.

Hon. SPEAKER.—I cannot allow you to proceed in that way. You had better not express what you believe.

Mr. CHAMBERS.—Well, the people shake their heads sometimes, and wink a little. All I will say, in conclusion, is that we must work together, and be true to ourselves and our country, and we need have no fears of the future.

#### Afternoon Session.

The House met at 3 o'clock.

#### MISCELLANEOUS.

Mr. BLANCHARD said that before the House proceeded to the order of the day, which was the striking of the committee to try his election, he wished to take exception to the security filed by the petitioner. He also objected to the drawing of the committee when there was not the requisite number of members, thirty-three, present besides the Speaker and himself.

The SPEAKER thought that the number was sufficient, but finally postponed the order of the day to Monday.

Mr. DICKIE presented a petition from the Clerk of the Peace of Kings County on School matters.

Mr. COCHRAN presented a petition from Charles Lamont and others on School matters.

Hon. PROV. SECRETARY presented a petition from Freeman Denison and others for money for a road.

Mr. NORTHUP presented a petition from Brookside Settlement, Terrence Bay, for a money grant.

Mr. CHAMBERS presented a petition from E. Tupper and others for money to build a bridge; also, one from Mr. Blackwood and others for a grant of money.

Mr. REYNOLDS presented a report from the special committee on the relief of distressed fishermen. The report was received and adopted.

Mr. NORTHUP presented a petition from R. Nickerson and others for a grant for a road near Sambro; also a petition from J. H. Hodson for the privilege of making a sidewalk from Bedford Station to the rifle range.

Mr. PERRY asked the Government to lay on the table a return showing the increase of salaries made by order in Council, and the advances for the road and bridge and other services from 1st July to 8th November, 1867.

The adjourned debate was resumed.

#### MR. FREEMAN'S SPEECH.

Mr. FREEMAN said—I do not intend to make a lengthy speech or to occupy the time of the House unnecessarily, but I will offer a few remarks on the question which has so deeply disturbed our once peaceful and happy Province. Were I to consult my own feelings I would keep my seat, and give place to gentlemen who are prepared to address the House with greater effort than I can, and who are awaiting their turn to deliver their



speeches. But I feel that I have an important duty to discharge, and shall I not raise my voice, feeble though it may be, in condemnation of the British North America Act, which has imposed so many burdens on us, and deprived us of our liberties, I shall betray the trust reposed in me by my constituents. I have taken notes of topics which suggested remarks, but the gentlemen who preceded me have occupied nearly the whole ground. I may say at the outset that I heartily endorse the resolutions laid on the table by the Attorney General touching this question, asking a repeal of the Union, and representing our case so fully as they do. I feel pleased also at the unanimity of feeling which gentlemen around these benches have expressed on this subject, as also at the manner in which the Government have taken hold of it, and I am happy to say that the county I represent is also pleased with the action of the Government thus far. We have had a fair trial of this act for five months and upwards, and the results are pretty well known to the people of this country. In that time we have lost much in a financial point of view. Take, for instance, the calculation which the hon. member for Inverness gave us—he told us that we could appropriate \$329,000. That, I believe, consists of the subsidy given to Nova Scotia. It was said also that the local revenue would probably amount to \$142,000, and these two amounts give \$366,000. That will be about all the revenue that we shall have to dispose of. It is generally acknowledged that our debt will be eight and a half millions, leaving us \$28,000 to provide for interest. The Provincial Secretary told us that the School grant would probably be \$234,000; the road and bridge service in 1866 was \$244,000, and these items alone give us \$493,000, and makes a deficiency of \$27,000. Then we have all the other local services to provide for, as follows:—

|                          |                  |
|--------------------------|------------------|
| Government departments,  | \$15,000         |
| Crown Land department,   | 18,000           |
| Mines,                   | 72,593           |
| Legislative expenses,    | 30,000           |
| Hospital for Insane,     | 30,000           |
| Poor's Asylum,           | 12,000           |
| Ferries,                 | 12,000           |
| Relief of Poor,          | 5,000            |
| Navigation securities,   | 20,000           |
| Public printing,         | 6,000            |
| Miscellaneous,           | 4,000            |
| Coroner's inquests,      | 1,400            |
| Deficiency as above,     | 27,000           |
| <b>Total deficiency,</b> | <b>\$258,493</b> |

This will be an enormous loss, and there will be no other mode that I see of meeting it than by direct taxation. It will never do for us to resort to that, for the treatment which we would receive in return from our constituents would be something like that which was visited on the heads of the thirty-two gentlemen who indicted this Act upon us. The evils of the measure are not only those which my calculations show: Mr. Rose tells us that the Dominion has a floating debt of sixty million dollars, a portion of which we must pay, and there are other disadvan-

tages which have been fully gone over by the gentlemen who preceded me. We have been tauntingly told that the elections run on the 18th September were run not only on the Confederation scheme, but on side issues such as the school law. My personal knowledge as to other counties is somewhat limited, but as to the county which I represent I can say that such is not the case. The Union question was the all-important question before the electors. The candidates who were running their elections in the interest of Canada spent considerable sums of money, and brought other influences to bear on the election, and although an enormous sum was laid out on one bridge and road just before the election, the Union candidates secured only one-fourth of the votes of the county. It was not run on the side issues, although the candidates holding Union principles did all they could to rally the old parties, and to sustain themselves by allusions to other questions.

Among the many disadvantages which must result from this obnoxious Act is this,—that the readjustment of the representation by population in the Ottawa Parliament will in course of time give us a smaller proportion of members than we have now, while the representation of Upper Canada will be increased. The scale of increase of population shows that the increase of Canada was by the census of 1866 equal to 4.34 per cent., while that of Nova Scotia was but 1.82 per cent. The population in Upper Canada was—

|          |           |
|----------|-----------|
| In 1866, | 3,090,000 |
| In 1861, | 2,507,637 |

|                                            |         |
|--------------------------------------------|---------|
| Increase,                                  | 582,343 |
| The estimated population of N. Scotia was— |         |
| In 1866,                                   | 368,000 |
| In 1861,                                   | 330,857 |

|                             |         |
|-----------------------------|---------|
| Increase,                   | 37,143  |
| Making a result as follows: |         |
| Canadian increase,          | 582,343 |
| Nova Scotian increase,      | 37,143  |

Increase over N. Scotia in 6 years, 545,200

At this rate of increase, Upper Canada progressing much faster than Nova Scotia, and the representation being readjusted every ten years, that of Canada will increase, and that of Nova Scotia decrease. This will be a grievous wrong to this country. According to the scheme, Nova Scotia receives 80 cents per head, and \$60,000 per annum, while New Brunswick also receives 80 cents per head, \$50,000 per annum, and an additional sum of \$63,000 for ten years. In this an injustice was done to us. We have a larger population than New Brunswick, and why should she require \$63,000 more than us? The reason assigned may have been that she was engaged in railway extension; but were we not in just the same position? But the fact that New Brunswick did not readily come into the scheme, may account for the extra grant which may have had some effect in producing the sudden change of feeling which was witnessed in her second election. The people of this country also feel deeply aggrieved at not being allowed to speak on this question at the polls. We feel that a Union between No-

va Scotia and Canada is not desirable, because the legislative policy required by the two Provinces being different, Canada requiring a protection which taxes the breadstuffs which we must buy from abroad; but we feel that even if the advantages were on our side, the treatment which we have received would have been utterly unjust. I was glad to hear by the remarks of Mr. Pinea that he was unfavorable to this part of the transaction. He seemed to be displeased at the way in which the scheme was carried, although he is willing to accept the situation. If the hon. gentleman thought that the Government had done wrong in imposing this Act upon the people he should have protested against it, for I feel that no one having the spirit which should actuate every Nova Scotian, can fail to express his condemnation of the policy which has prohibited the people of this country from exercising the franchise on an all important question affecting their interests so vitally as this does. I feel that I can endorse all that the resolutions contain; they are suitable to the occasion, and express the feelings of the people. I trust that they will be unanimously adopted, and when our delegates go home with the request of this House, that the country be relieved of the burthen imposed on us. I have an abiding faith in the Queen, and the men administering the affairs of the mother country, that they will hear and accede to our petition.

#### MR. COCHRAN'S SPEECH.

Hon. Mr. COCHRAN said:—I have attentively listened to this debate from its commencement, and must congratulate the House and the country on the ability with which it has been conducted. If it had not been for some remarks that fell from the hon. member for Inverness, respecting the constituency I have the honour to represent, I hardly think I would have troubled the House with any observations, and certainly I shall be very short in what I intend now to say. The hon. gentleman having had an election of his own to run, was hardly in a position to know the actual state of things in this city. He had himself a hard battle to fight, and it was only by the merest chance that he came here at all. When the question of Union came first before the people of this country, I took that view of it which I have ever since held. When Dr. Tupper came out a candidate for this county, the Anti-union party thought that the time had come to make a move, and I was waited upon by several gentlemen asking me to come out. I paid no attention to them for a while, but when I saw that my services might be useful to the party, I consented. At that time I had taken a passage for Europe in the Cunard steamer, and I determined to go notwithstanding the approaching election. In going round and testing the feelings of the people of Halifax, as well as those outside of the city, I found that one-half of us might be away and the matter would be easily settled in our favour. But on my return, I found that about 200 persons who had signed the requisition to us were prepared to vote against us, or not to vote at all. The Government of Canada sent a despatch,

requiring every public officer to vote for the Union candidates. Mr. Longley used his power as the head of the Railway Department. Even the city officials were threatened by a gentleman who had been long in the City Council, and was fond of boasting that he had been instrumental in electing several Mayors. Such was the state of things when the elections came off. I have no hesitation in saying that if an election were held in the city to-morrow, we would get a large majority over any Union candidates that might be brought forward. The men who ran perfectly wild in favor of Union feel very differently now. It has been stated that the most respectable merchants of Halifax are Unionists. Now go up Water street, from Moren's to West's, and you will find four merchants against Confederation to one in favor of it.

The tariff—one of the first acts of the Confederate Parliament—is certainly not an argument in favor of Union. Neither is the Stamp Act, under which every man is obliged to affix a long list of stamps to every bill and note of hand. This will be a pretty costly ornament to the people of this country. Just look at the tariff—fifty per cent. higher than our old one. If a man buys four bushels of corn he must pay 40 cents or 2s. on it. On the other hand wine is reduced to ten cents—the same as that upon which the rich man can drink his wine at a low rate, but the poor man must pay more for his food. I have been forty years in this country, and I never paid a cent on corn and cornmeal and rye flour before. Our coal is obliged to pay a 20 per cent duty in the American market, and yet the Canadians allow the American coal to come into their ports duty free. That shows us plainly how we may expect to be treated by the majority in the Confederate Parliament. I have no doubt Sir John A. MacDonald would gladly impose a duty on American coal, but his supporters from Upper Canada will not allow him to do so. I have no doubt we shall have a 30 per cent. tariff imposed upon us ere any great length of time has elapsed. When they wished to conciliate the Maritime Provinces they lowered the tariff to 15 per cent., but we know that under the expensive system of government established in the Dominion this rate will not suffice to meet the expenditures. They propose buying the Hudson's Bay Territory, and building the Intercolonial Railway, but where is all the money to come from? Not from a tariff of 15 per cent. certainly, when we know that Canada could not meet her ordinary obligations for years under a 20 per cent tariff. I trust, let me say in conclusion, that we shall not be kept in this Union much longer, but that Nova Scotia will be permitted to regain her old constitution and privileges, under which she has enjoyed so much prosperity and happiness. I have travelled over Europe and America, but nowhere have I seen a happier and more contented community than Nova Scotia. I left the old country in my youth, and perhaps I was not then the most loyal of men. I was, like a good many of my countrymen, carried away with the notion that England was an enemy, but when I came to Nova Scotia, and saw the state of

things here, I was satisfied and have lived in the Province ever since. I found that the man who would not be loyal to this country must be a fool or an idiot. I believe at the time of the Fenian excitement, had this country been invaded, my countrymen would have been true to their allegiance; I never heard a man speaking in support of the Fenians or saying there should be Fenians among us. I am sorry to be obliged to confess, if matters progress as they have been doing, if we do not get out of this Union, much of this good feeling will be swamped. I believe that peace and order are gone from Nova Scotia forever if this Union is perpetuated. I believe that many persons were once in favor of Union, but when they came to see the iniquity of the present scheme, they changed their opinions very soon. Nothing shewed more clearly the feelings of the people of Nova Scotia than the departure of Dr. Tupper and Mr. Archibald from this city a few days ago on their way to Canada. These men were a credit to any country—their ability entitles them to respect, but when they left not a farewell cheer rose from the crowd assembled on the wharf; one would actually have thought it was a funeral. But when Mr. Howe left he left amid the hearty cheers of the large crowd that saw him depart on his patriotic mission. Such is the feeling of the people of Nova Scotia generally.

The men who sit on these benches indicate very clearly the sentiment of the country. I do not find fault with the people of Canada. I believe they found themselves in a position of difficulty, and could see no other means of extricating themselves except by annexing the Maritime Provinces. As respects the men who betrayed their country in this House, we cannot but censure them most loudly. One of the gentlemen who now sits in the other end of the building met a friend one day on the street, when the question of Confederation was under consideration, and said, "We are sold." That hon. gentleman, however, was found voting in favor of Union, and now he has been rewarded. So far as the resolutions are concerned, I agree with every line of them, and hope when the people of England look at the real position of matters they will meet out to us that justice to which we are entitled at their hands.

#### **SPEECH OF HON. PROVINCIAL SECRETARY.**

Hon. Prov. Sec'y. said:—In rising to address the House at this time I feel much embarrassed, from the fact that in the opening of this debate three or four legal gentlemen addressed the House, taking up the constitutional argument, and following after them came a number of able merchants who took up the financial part of the question, and thus the matter has been so fully discussed, and so completely exhausted, that a lengthy speech would be merely adding to what has already been said, in a discussion which, in my opinion, should not detain the House long after to-day. It is important that the debate should be brought to a close as early as possible, and at the same time it is important that every gentleman should have an opportunity to express his views, in order that

the people of this Dominion and Great Britain should know the unanimity of sentiment prevailing throughout the length and breadth of the land. I speak to-day from a different standpoint from that occupied by any other gentleman, from the fact that I am free to confess openly to the House that I am a Unionist as far as a union of the Maritime Provinces goes. When the resolution was brought down and passed authorizing a delegation to Prince Edward Island, to form a scheme for such a union, it met with my hearty approval, and I looked forward to the consummation of the measure with a large amount of interest. But I was deeply disappointed when I found those gentlemen who went on that delegation closed their labors at the instance of a number of delegates from Canada, who desired to frame and carry out what they were pleased to term the larger Union. I felt, with regard to the Maritime Provinces, that inasmuch as our interests were identical, a union would have the effect of removing duties which interfered with commercial interchange, equalising the currencies, removing restrictions from trade, and reducing the legislative expenses, without any risk being incurred, but with the certainty of the general interests being advanced. When we look around our Province, and see that we are only connected by a narrow neck of land to New Brunswick, that nearly all our ports are open from one year's end to the other, and that we are a fishing and maritime people requiring trade with all the world, it is obvious that a connection with Canada, whose harbors are closed for the greater part of the year, must result in great disadvantage to this colony. I said that our ports are open for the whole year,—it is really so, at some seasons some few of the smaller harbors are closed, but as a general rule such is not the case. As a maritime and fishing people it is necessary, in order to the prosperity of the country, that we should have as nearly a free trade policy as possible, while Canada, being peculiarly situated, requires a protective policy in every sense of the word. Therefore I say in all sincerity that in my opinion there is no confederation of Nova Scotia with Canada that can result in anything but disaster and taxation, beyond what the country can bear for some time to come.

I said that I looked forward with interest to the consummation of a scheme for a Maritime Union, and that my disappointment was great when I found that that project was abandoned, but still I looked forward in hope that some scheme might be arranged whereby the Confederation of all the Colonies might be carried out without seriously impairing the interests of the smaller Provinces, and when the scheme was brought down I was prepared to give it the most careful consideration, and to adopt it if I found it anything like what such a scheme should be. But when I came to examine it, and to find that it seemed to have been concocted for the particular advantage of Canada, and that the interests of this country would suffer very materially from a union on such a basis, then, in common with nineteen-twentieths of the people of this Province, I made up my mind

to do all I could to defeat it, and I have never ceased from that effort down to the present time. I know it has been said that Mr. Howe's efforts caused all the agitation in the country, and that if it had not been for him the measure would have been approved of at the polls. I stand here as the representative of a county in which was held the third, if not the second meeting on the subject, a year before it was known which side of the question Mr. Howe would take; and no matter what his views were—although I am free to confess that he gave us a very material addition of strength when he came out—the feeling would have been just as strong as it is to-day. I will endeavor to-day to make a short and practical speech, and in order to show the correctness of the views I have already advanced I will take up a few figures and support my position by them. As it is not in accordance with Parliamentary usage to refer to a debate that has been closed, I will be unable to approach a former speech of the hon. member for Inverness, excepting by way of supposition, and we will therefore suppose that the Government came before the Legislature with a speech from the Throne, in which it was stated that the financial condition of the country was unsatisfactory, and that the leader of the Opposition, to show that such a statement should not have been made, told us that in consequence of Confederation being carried out the Province had run into debt to the General Government \$600,000 before six months had elapsed. If that were the case it would prove very conclusively that the Confederation was not at all satisfactory. No argument in favor of the existing state of affairs could be adduced from that state of things, because the hon. gentleman, in saying that the country was in a better financial condition than ever before—there being \$329,000 in the treasury to carry on the government with—would be obliged to admit in the next breath that we had run into debt by \$600,000. I am not willing, however, that the argument should go before the country even in that way, but I will read from Mr. Rose's statement a passage bearing on the subject. Before doing so, however, I would remark that the assertions about the Canadian Government having been largely in advance to us will be equally applicable if, on the 2d of July, that Government had paid over to this Province a portion of our subsidy. The Finance Minister, in that case, might, with equal truth, come forward with the assertion that we were largely in advance in our receipts. Mr. Rose states the matter thus:—

“Statement C gives in detail the receipts and payments in Nova Scotia, and a glance at it shews as

|           |           |
|-----------|-----------|
| Receipts, | \$769,689 |
| Payments, | 580,414   |

|                                                                                              |           |
|----------------------------------------------------------------------------------------------|-----------|
| leaving an apparent surplus of                                                               | \$219,275 |
| But since then, there has been advanced on account of the subsidy to be paid to Nova Scotia, | \$317,449 |
| And there has been paid for interest due to the Messrs. Baring,                              | 242,428   |
|                                                                                              | 559,877   |

From which if we deduct the surplus of receipts just mentioned we shall find that Nova Scotia has at this time received an advance of

\$340,802

This is the position up to the 1st December instant, but while I make the statement, I hope no member will entertain any sectional feeling—I give the facts as they are, but these figures, it should be remembered, fluctuate very much, and of course a great deal of this expenditure is on account of the debt of \$8,000,000 with which Nova Scotia agreed to come into the Union. We have in fact to find the money to make up a portion of that debt, and having found the money, the Dominion is bound to find the money to meet the interest. It is not as if the debts of Nova Scotia or New Brunswick had existed at the time of the Union; for then all the Dominion would have had to do would have been to provide the interest; but there are current engagements of the Maritime Provinces, maturing from time to time, which the Dominion has to find money for at once, and that perhaps not merely to the amount of seven or eight millions, but to the extent to which their liabilities exceed this sum, and after this comes interest on the whole, the excess of which over the interest on the seven or eight millions will have to be deducted from the subsidies to be paid.”

This is a plain statement of the facts, and it places the whole matter in so clear a light that there can be no difficulty in coming to the conclusion that we really are not indebted to Canada in any sum for advances. I have prepared a short statement which will shew how the matter stands, excluding the amounts paid on account of the two railroads. I take the amounts as Mr. Rose gave them, making \$219,275, the five months subsidy, which is all that should be chargeable, and it leaves \$84,133 in our favor. I do not deny that the Canadian Government may be in advance of the receipts, because they have paid something on account of our debt. If that debt was six and a half millions, and we were entitled to go in with eight millions, they were bound to pay us the balance at any time, and on the principle which they have adopted, if, on the 2nd of July they had been called upon for the additional two and a half millions, they would have charged that against our account as so much advanced. I proceed in the next place to give a comparative statement of the amount of duty collected in Nova Scotia in 1866 under our tariff of that year, and of the amount that we would have paid in that year under a Canadian tariff. I have had every item calculated, and although it may possibly be erroneous to the extent of a few dollars, yet I believe it will be found in the main correct. I take 1866, because it is the only complete year that we can calculate by.

|                               |                |
|-------------------------------|----------------|
| Amount under Canadian tariff, | \$1,830,238.86 |
| “ “ Nova Scotia tariff,       | 1,402,698.88   |

Difference against Nova Scotia. \$427,539.98

Thus we see that under a Canadian tariff we would have paid on the importations of 1866 \$427,539.98 more than under our tariff of that year. It is true that Mr. Johnson has

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made a calculation producing a different result, making it appear that Nova Scotia would only lose \$59,000, but any such statement is preposterous. The free goods could not so nearly balance the account, and any statement shewing such a result is intended to deceive and mislead. The same thing was done with regard to the imports of New Brunswick, and a most competent person came forward and shewed that in that statement an omission was made of \$200,000. The whole matter is carried on by that kind of deception. I said that this country required free trade as nearly as possible, and that will be plainly shewn when we come to place the protective duty of Canada on her, for the importations of Nova Scotia, in 1866, were equal to \$38 per head, while those of Canada, commonly considered the most wealthy Colony, only amounted to \$15 per head. When our importations, under a ten per cent. tariff, come to \$38 per head, is it not plain that the raising of that tariff must be advantageous to the country? I find also that Canada expends but 86 cents per head for local purposes, while we expend \$2, and the same proportion prevails throughout. This remark brings me to the consideration of our revenue and assets under Confederation, and I think the statement I made of the figures, a few evenings ago, will be found in the main correct. I will shew first our revenue from the various sources:

#### Revenue.

|                      |              |
|----------------------|--------------|
| Crown Lands,         | \$ 42,764.26 |
| Gold Mines,          | 25,000.00    |
| Coal Mines,          | 45,000.00    |
| Hospital for Insane, | 20,000.00    |
| Subsidy,             | 284,000.00   |
| Bonus,               | 60,000.00    |

456,764.26

#### Estimated Expenditure.

|                          |              |
|--------------------------|--------------|
| Salaries,                | \$ 15,000.00 |
| Criminal Prosecutions,   | 2,000.00     |
| Coroners' Inquests,      | 2,000.00     |
| Crown Land Dept.,        | 17,850.00    |
| Education,               | 164,000.00   |
| Legislative Expenses,    | 30,000.00    |
| Public Printing,         | 10,000.00    |
| Public Works,            | 40,000.00    |
| Department of Mines,     | 15,000.00    |
| Poor Asylum,             | 13,000.00    |
| Relief,                  | 6,000.00     |
| Roads and Bridges,       | 240,000.00   |
| Steamboats, Ferries, &c. | 8,000.00     |
| Navigation Securities,   | 10,000.00    |
| Provincial Exhibition,   | 6,000.00     |
| Agriculture,             | 6,000.00     |
| Deaf & Dumb Inst.,       | 2,000.00     |
| Miscellaneous,           | 12,000.00    |

598,850.00

Expenditure over Revenue, \$142,085.74

I ask the House if that is the position that a Province, rising in the scale in which we have risen for the last ten years, should be placed? I blush for those who have placed Nova Scotia in that position? In addition to the amounts which I have stated, there has been paid since the 1st of July on the new

Provincial Building \$35,653, and there will be yet to be paid \$20,000, making \$55,653. Then coming to the department of education, we find that we must make an advance of \$45,000 as a loan to the counties, which will, it is true, be repaid in the subsequent year, but which must be provided out of this year's revenue. Again, we are obliged to provide 2-3 of \$80,000 for the new Poors' Asylum, amounting to \$54,000; and at least \$25,000 for interest on excess of public debt. These items give \$179,653 to be added to the deficit of \$142,085.74 which I stated before, making a total of \$321,738.74 as a deficit for the present year.

I stated before that I have made this statement of figures, not with a view to deceive, but to show the House and the country what we must expect if we are to remain in Confederation. It would be useless for me to try to make it appear that we have \$200,000 or \$300,000 to spare from the treasury when we shall certainly be short over the amount which I have put down for roads and bridges.

It has been repeatedly said by the advocates of Confederation: "we have given you a new Act,—you found fault with the Quebec scheme, and therefore we have improved it." I should like to know in what the improvement consists,—the Quebec scheme left us the right to impose export duties, but that has been taken away by the Imperial Act. The new arrangement gives us \$60,000 per annum, but it gave a like sum to all the other Provinces, so that we, who suffer, must have to pay a part of this very money, and the right of laying on an export duty is vested in the General Government. That is just the position of things under the new arrangement. As regards the constitutional part of the argument, I would just say that no doubt many members recollect the celebrated campaign which Dr. Tupper made in the western counties,—he held a meeting at Weymouth, among other places, and what was the ground of his argument there? It was that Howe, Archibald and McCully were governing the country in defiance of the well understood wishes of the people, and were going contrary to all British precedent in doing so. He made a most pathetic speech, telling us that those gentlemen were going to govern the country in that way for four years. Well, they did so, but at the end of that time the people had a perfect right to displace them if they pleased. Dr. Tupper, however, thought they had not the right to hold the government for an hour; he declared they were infringing on the constitution, and laid down the doctrine that the constitution belonged to the whole people—that every child in breathing his first breath took in a portion of it—and that any man who undertook to govern the country in defiance of the wishes of the people would be depriving them of the privileges which belong to them under responsible government.

The hon. member for Inverness told us that the Attorney General was the Tory of Tories, and boasted that himself had been brought up at the feet of Gamaliel, learning the principles of Howe, Young, and other leading men of the Liberal party. I looked at him with amaze-

ment,—is it possible that he has imbibed the principles which those men laid down, and yet so far forget himself and everything preached and practised by the leading men on the Liberal side of politics in this country, as to stand up here and tell the people that they had no more right to control the Government, or to be heard on any change in the constitution, than the people of Russia,—for his statement in substance was that? He reminds me of what an American gentleman said that Lord Derby remarked in England on being asked what were Earl Russell's politics,—his reply was, "when Earl Russell is in power he is a Tory, but when out of power he is a Liberal." So when the hon. member for Inverness was out of power he was a Liberal, but when he got the ship hand he was a bigger Tory than the Atty General, who, in this debate has been advocating true conservative principles: the right of the people of the country to govern themselves. I have never taken a very decided stand on either side of politics,—I have been a Conservative, but only this far, that I was always willing when it could be shown that a change was necessary, to aid with both hands the advancement of the true interests of the country.

The hon. gentleman also referred to Halifax being strongly confederate, and spoke of the wealth and intelligence of the metropolis. When I read the accounts of the July celebration in Halifax, I thought that all the citizens must have adopted Union principles, but I little thought that a large amount of the funds expended in that celebration were paid out of the public chest. That expenditure was made, I believe, for no other purpose than to make the people of the rural districts believe that Halifax was strongly confederate. That brings to my mind the scenes enacted in the country on the 1st of July; while in Halifax the day was celebrated with something like rejoicing, what was the fact in the country? From one end to the other nothing but mourning and grief were exhibited; the shutters were closed from morning to night; the flags were at half-mast; Dr. Tupper hung in effigy from every barn along the road, and everywhere the signs of deep regret at the loss of the country's liberties were displayed. The hon. member for Inverness asked the other day what we expected to accomplish by this agitation. I will tell him: we expect to accomplish a complete repeal of the Union as far as Nova Scotia is concerned. We will approach the British Government as loyal and intelligent men, the descendants of men who preferred a home in the wilderness of this country to ease and affluence under the American flag. We will tell them that the Act of Confederation was forced on our country. Our people, having had time to consider the matter, are perfectly satisfied that to continue the present state of things would bring nothing but ruin and disgrace upon them, and we therefore come here as loyal and loving subjects of the Queen, to ask for a repeal of the Act.

I think I can tell the hon. member what the answer will be also. That Parliament will say we were deceived into the passage of the

Act and did not give it full consideration—we are far from wishing to force the loyal people of Nova Scotia into a confederation against their wishes. Take back your constitution, and so long as you remain loyal and true to the British flag and feel a desire to live as a colony of Great Britain, we will do all we can to advance your interests in time of peace and protect you in time of war. The question "what then" was asked the other day. I will tell the House "what then,"—a long loud shout will go up from one end of the country to the other of God save the Queen, and many a poor man, whose daily food has been made dearer by the legislation under which we are suffering, will join in the shout. When that day comes a new stimulus will be given to every branch of industry. The fisherman will go forth with his line, the miner will take up his shovel, and the ship carpenter his axe. The merchant will make large importations, and new life will be infused into the people. I have not the slightest doubt that if we gain repeal, our importations, instead of continuing to fall off as they did last year, will soon be doubled. If the right of self-government be restored to the people would not feel even the fifteen per cent tariff which we have been paying Canada a heavy burthen—for the great trouble with us now is that we receive no corresponding benefits for the taxes that we pay. If repeal be granted, as I have said, the country will go forward with new strength and vigor, trade will be opened in new channels, the waves of prosperity will roll in on Nova Scotia's shores, and our Province will enjoy the position that nature has destined her to occupy, as one of the finest gems in the British crown.

Mr. HOOPER—I intended addressing the House on several occasions, but so much has already been said on this subject that I feel I cannot invest it with any new novelty, and therefore I shall only say that I heartily endorse the sentiments contained in the resolutions, and shall vote in their support.

#### MR. DESBRISAY'S SPEECH.

Mr. DESBRISAY said:—Mr. Speaker, I shall endeavor in addressing the House to be as concise as possible, but I feel that this question is of such vast importance that I would be avoiding a duty I owe to those whom I have the honor to represent if I were to pass it by with a silent vote. One thing, sir, is indisputable, that Nova Scotians are not today as free nor as contented as they were previous to the Confederation of this Province with Canada. I know it is asserted that the Anti-Confederate party are to blame for the discontent that unhappily exists in the country, but this statement cannot be supported by sound argument. Some of the warmest advocates of Confederation do not hesitate to declare that the mode of procedure as regards Nova Scotia was most high-handed and outrageous, and I venture to assert that there is not on record a more cool, determined defiance of popular rights than was exhibited by the principal agents in the transaction here in Nova Scotia. It has been frequently asserted that the leading men of this Province, years ago,

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advocated the Union of the Provinces. It was, I admit, urged that the union was desirable, and if wisely managed might result in good, but to say that such a scheme as this, with all the advantages for Canada and disadvantages for us, which are its main characteristics, was ever dreamt of, much less publicly proclaimed, is not consistent with fact. It was never once hinted, at least up to the time when its advocates saw a chance of its being effected, that the people should not be consulted on a measure like this which would affect themselves and their children for future generations. Tell me not that the constitution of our country can be changed, and the rights of this people bartered away without reference to those whose interests are immediately affected. If the arguments of the hon. member for Inverness and his friends be correct, then any Legislature, however corrupt, can wholly destroy the liberties of the people, and they must lamely submit. If a Legislature, elected as ours was in 1863, can act as they did, and still be within the constitution, then the people cease to have a voice in the management of their affairs, and self-government is only a delusion and a snare. Then the most monstrous acts can be committed by those who, pretending to represent others, have their own personal aggrandizement chiefly in view.

I want to know why the people of Nova Scotia occupy a different position from the people of New Brunswick. This is a question that has not been, and cannot be, answered. The people of that Province had two separate elections, but the electors of Nova Scotia were not allowed the right of expressing their opinions upon the most momentous question that ever engaged the attention of this country. No satisfactory reason can be given why the people of Nova Scotia, who are certainly just as intelligent and capable of coming to a satisfactory conclusion on matters of importance as the people of the neighboring Province, should have been denied the right which the latter enjoyed. On every principle of justice they should have been consulted, and the members of the former Legislature who declared one day the Union to be impracticable, and on the next recorded their votes in favor of it, deceived the people whom they had been sent to this House to represent. One of the arguments of the Confederates has been that this Province having comparatively limited resources, was to be united to a country of immense wealth—that we were to enter a partnership in which one partner—that is Nova Scotia—would have a small capital, while the other—that is Canada—would have an enormous income, and that we would receive benefits much greater in proportion than any contribution we could make to the general stock. This delusion was entirely dispelled by Mr. Galt who, when advocating the Union, used this language: "I ask the House frankly to look at it as a great measure brought down to relieve *Canada from distress and depression*." He went on to say that if the local revenues were inadequate then the people must resort to direct taxation.

I remember when I was studying my Profession in this city, coming into the gallery, and hearing the present Attorney General say: "Nova Scotia came from the hands of the Creator, endowed with greater natural advantages than any territory of equal dimensions on the face of the globe." I ask you if the development of her resources in the interim has not proved the truth of what he then said. One of the first questions that should have been asked when the measure was under consideration was, whether it was to be advantageous to all the Provinces concerned. What did Sir Richard Graves McDonnell tell the Legislature in the session of 1864? That he was pleased to be able to congratulate them on the unprecedented increase in the revenues of Nova Scotia. The following statement will clearly show the remarkable increase of our customs revenues in ten year's time: In 1856 this revenue was \$571,588; but it had increased to \$1,226,199 in '65. In 1854 our Exports were valued at \$4,990,672; but in 1865 they amounted to \$8,830,693. As I represent one of the principal, indeed the largest fishing constituency in Nova Scotia, I may mention that the fish exported in 1854 from this Province was valued at \$1,960,932, and in 1865 it reached \$3,282,016. I have said that there was no necessity for Nova Scotia to enter into the Union in order to promote her prosperity and advancement. When the French fleet visited this port some years ago, one of the officers made a tour of the Province in order that he might see the state of the descendants of the old Acadians, and when he returned to France he wrote a work, in which he asserted that there were no people who had more reason to be happy and contented than those in Nova Scotia, and he added with reference to the taxes they laid upon them "as lightly as a down cushion." Compare this state of things with that of the Canadians. Having had a deficit for many years they saw in the revenues of Nova Scotia and New Brunswick a means of overcoming their difficulties, as suggested by Mr. Galt. Accordingly they proceeded in hot haste to Charlottetown, and persuaded the Delegates from the Maritime Provinces, who were charged with the performance of a certain duty, to adjourn to another Province, and there to arrange a scheme which was wholly outside of their instructions. This Province has received from its public men the most contemptuous treatment.

The story of Mr. Watkin has been often referred to, and I must also allude to it for a moment. The man who is the "head and front of all the offending" in Nova Scotia was the one who led the Parliament of England astray on this question. He says he told Mr. Watkin that he had delivered addresses in the different counties on the question, and that he came into power with a large majority who gave the scheme their support. Mr. Watkin evidently sought for correct information. Because Dr. Tupper delivered lectures in Truro, Windsor, and one or two other county towns, were the people of this Province therefore to be considered conversant with the details of the scheme. He must have made the statement he did designedly, in order to have Mr. Wat-

kin believe that the people had decided in favor of the scheme, because he knew that such was not the case. I would like to know why he did not remain here to finish the work of educating the people up to the blessings of Confederation in the face of a high tariff and the Canadian Stamp Act. It is said if the Fenians come to Nova Scotia, or if there is any threatened invasion, the people must rise in their might; and yet if they are deprived of their rights and privileges as British freemen by those living on their own soil, they must be quiet.

All we required was the privilege of deciding the question for ourselves, and I shall turn the attention of the House to the language used by the gentleman who moved the resolution on which the delegates went to England, and we want nothing more than what he said to show the proper mode of dealing with this question. Mr. Miller said in Temperance Hall: "Let no attempt be made to place the walls of the Provincial Building between this measure and the electors of Nova Scotia. If the advocates of the measure have faith in the soundness of their scheme, let them submit it to the only tribunal competent to pass a judgment upon it, the people at the polls." That he then took the right view of the question the elections of last September clearly proved. Yet the gentleman who used this language came to the House and in his place moved the resolution on which the delegates went to England, in order to fasten this iniquitous scheme upon us. I would like to know why the course he advised at first ought not to have been followed in 1866? I am ashamed to say in my place in this House that so many public men of Nova Scotia, charged with the interests of this people, proved false to the trust reposed in them in the manner they did. Why, sir, a city wood sawyer, even the man who begs from door to door, "poor pensioner on the bounties of an hour," may better illustrate the worth and dignity of human nature than the men who betrayed their country, though they have half the letters of the alphabet after their names, and now receive high salaries in the Dominion as the reward of their deception. These men I hold to have been Nova Scotians only in name, and I am happy to see that some of them are out of the country, and if all of them were away the interests of the people would not suffer in consequence. Let me, however, add that I hold that men who have been consistent advocates of Confederation all through are not to be classed with those who came here declaring that they were opposed to the scheme, and afterwards voted in favor of it. The hon. member for Inverness the other day hinted that he hoped to change the opinions of some of the honest men he saw around these benches. I hope he will not be able to do any such thing. I believe every man will maintain his allegiance to his Queen and to the people, and that every one of them at least of the thirty-six will emulate the conduct of that noble Roman sentinel who forsook not his post at the gates of Pompeii, but was found when the ruins of that city were uncovered, standing in his place erect in death, still holding his spear. (Cheers in the gallery which was repressed by the chair.)

Mr. BLANCHARD—If it were not for the example set by the House itself the galleries would be quiet enough.

Hon. SPEAKER—Sir, it is not for you but for the chair to attend to the order of this House. You are not yourself inclined to preserve that decorum which is expected from every gentleman, for you very often converse with gentlemen on these benches when others are speaking.

Mr. BLANCHARD—I may say that never since I have had the honor of a seat in this House have I known a gentleman to be refused permission to interrupt another, and make some explanation. When gentlemen encourage that gallery to make demonstrations to destroy the order of this House they are at liberty to do so, but if you do not check them I will.

Hon. SPEAKER—When you, sir, assume the duties of the Speaker of this House, and whilst I am here to preside over the members of this body, and reprove them for anything, I must call you to order, and desire that this may never be done again. (Cheers in the gallery.)

Mr. BLANCHARD—"I see strangers in the gallery."

The galleries were cleared, and the House at once adjourned until Monday.

MONDAY, 17th Feby.

The House met at 3 o'clock.

Mr. ELKANAH YOUNG presented a petition from Mount Uniacke, and introduced a bill in accordance with the prayer thereof, asking that that settlement be incorporated into West Hants.

Mr. RYERSON presented a petition from a Way Office Keeper, asking for a larger salary.

Mr. KIDSTON, a petition for money.

Mr. BLANCHARD, a petition for certain remuneration.

Mr. J. McDONALD, from School section, No. 9, St. Andrews, praying for an alteration in the School Law.

Mr. NORTHRUP, from A Coffie, of the Cumberland Hotel, Amherst, in reference to the License Law.

Mr. PURDY, also two petitions on the same subject.

The order of the day, the drawing of a Committee to consider the petition against the return of Mr. Blanchard, was then taken up.

Mr. BLANCHARD entered a protest against the petition on the ground that no legal and sufficient security has been filed—the securities being two members of the House.

Hon. SPEAKER said he had looked over the authorities, but he could not find an instance of any petitioner naming two members of the same Legislature as securities, but perhaps the hon. gentleman, or his counsel, would cite some precedent.

Mr. BLANCHARD asked that he be heard by his counsel at the Bar.

The motion was granted, and JAMES McDONALD, Esq., appeared at the bar and addressed the House against the validity of the petition. He argued that it was contrary to the dignity of the House that members should act as securities in cases where they

were acting as a Court. It should be remembered, he argued, that the Legislature was the highest court from which there was no appeal, and consequently there was greater necessity to do nothing that might tend to the injury of those whose interests were in their hands. No precedents could be found anywhere—either in England or the colonies—for such a case as was now under consideration. It had been decided in the courts below that a member of Parliament cannot be received as bail, because, although he may be worth the money a hundred times over, yet he cannot be called upon to respond on account of his privilege. In elucidation of this point the learned gentleman cited several cases from May, Saunton, &c. In May, he added, it is stated that there is an order of the House, that members of the Commons being barristers are not to appear before the House of Lords in matters which are likely to come before the House. What would be thought of a member of Parliament accepting a fee or reward in connection with matters before the House? The independence of the House would not be preserved if the members were made directly interested in matters concerning money that came before them.

On the conclusion of Mr. McDonald's remarks, the galleries were cleared, and the question considered with closed doors.

On resuming the following committee was struck: Mr. Ross, Hon. Mr. Robertson, Mr. Johnson, Mr. Freeman, Mr. D. McDonald, Mr. Lawrence. The committee was called together for Wednesday.

The House then adjourned.

#### TUESDAY, 18th Feby.

The House met at 11 o'clock.

Mr. KIRK presented a petition from Guysboro' for a bridge across St. Mary's River, and strongly urged the Government to take the matter into consideration.

Mr. BLANCHARD also spoke in favour of the construction of the work.

Mr. KIRK said if the Government would not take the matter up, then the people of Guysboro' would be obliged to ask for leave to incorporate a Company to build the bridge, and ask tolls thereon.

Mr. J. McDONALD presented a petition from Black River, Fraser's Grant, Antigonish in reference to Education. Also from Black Settlement, Tracadie, to change the name thereof, and a bill in accordance with the prayer thereof.

Mr. LANDERS, petitions for money grants.

Mr. JOHNSON, bill to legalize assessment roll in Shelburne.

Mr. HOOPER, petition of Angus McDonald and others, for money on a road.

Dr. MURRAY, petition, section No. 12, for a change in a polling place; also a bill in accordance with the prayer thereof.

Hon. Mr. TROOP, petition from Annapolis, praying the House to grant a survey of a road between Shelburne and Annapolis; he pointed out the necessity that exists for the work in question.

Mr. BLANCHARD said the former Government had given a pledge to construct the work, which was undoubtedly desirable

On motion of Mr. Blanchard, Messrs. Blanchard, Vail, and Northup were appointed a Committee of the House in reference to the Legislative Library.

The adjourned debate was then resumed.

#### MR. DESBRISAY'S SPEECH.

(CONCLUDED.)

Mr. DESBRISAY then continued his speech: I was interrupted in the Address which I was making to the House on Saturday, by the hon. member for Inverness. He found fault with the members of this House following the practice of the British House of Commons in expressing their opinions of what they hear, and I think he might have shown to me a measure of the same forbearance which was exhibited to himself on a previous day when you, Sir, having given orders for the galleries to be cleared, the occupants were allowed to remain because that hon. gentleman saw "respectable people" among them. The return I make is this: I am ready to bear my testimony that the hon. member is very useful in this House, and I know that since I came here he has given his attention closely to the public business. When I closed on Saturday I was about referring to the cry of disloyalty and annexation which has been brought against the Anti-confederate party in this country. From whom does this cry of disloyalty and annexation come? Chiefly from a few persons in the city of Halifax whose stock in trade appears to me to be slander; slander which, in the words of Shakespeare,

"Outvenoms all the worms of Nile,  
And makes the meat it feeds upon."

Slander which, as we see day after day, spares neither the longest life of usefulness nor the highest respectability. I am happy, however, to know that these persons stand alone, and that they have about as much influence now in this country as they had on the eighteenth of September last. There has been a good deal of lip and pocket loyalty in Nova Scotia, expressly manufactured for the occasion. With this loyalty I have nothing whatever to do. I love England, the home of my fathers and the birthplace of the free; England that leads the nations, asking them to accept for themselves the great and manifold blessings that follow in her train; England that in so many lands, our own included, has erected her national flag and the standard of the cross together, so that the lustre of the one is made brighter by the glory of the other—this England I love. I do not, however, love this dear land of the Mayflower any the less, and the rights and interests of her people are to me objects of special importance. A great deal has been said about the tariff, to which the people of Nova Scotia are subjected by the Confederation scheme. In examining it, I do not so much care whether there are certain articles that are admitted duty free which were not free before. The main question which concerns the people is this: Are the articles most required for their subsistence taxed? If those articles chiefly consumed by the poor people are taxed, whilst those that are used

by the rich are admitted free, then it is a tariff to which the people of Nova Scotia can never give their consent; and on examination of the matter, I find what I have stated to be the fact.

The hon. member for Inverness referred to Catholic Emancipation, the abolition of the Corn Laws, and the Reform Bill, and cited the speeches of Mr. Pitt and Sir Robert Peel to shew that it was right to pass this act in the way it has been passed. All the measures referred to extended and enlarged the liberties and privileges of the people; whereas this act, in support of which he brought such matters forward, curtails and to a very large extent destroys the rights and privileges of the people of this country. I thought, when he undertook to deal with this question, he would not have taken solely the opinions of men who might rise in Parliament and give their views on constitutional subjects, but that he would have referred to those works that are text books of authority. He might without difficulty have quoted from the highest authority, and have shewn that it is not competent for a legislature to delegate its power to make laws to any other body. But he did not do that. It will be in my power also to cite Mr. Pitt, and I think he will not appear as the advocate of encroachment upon the liberties of the people. The hon. member will not forget the celebrated stamp act which was to bind the old thirteen colonies. It is constantly asserted that Confederation is necessary to the defence and security of the provinces, and it is certainly curious that the old stamp act uses the same argument. The preamble states in so many words "it was necessary for the defence, protection and security of the colonies.—Here you see that the same reason that was given for forcing the Stamp Act upon the old Colonies has been applied to us. I think I can show that the people of Nova Scotia are now taxed by the authority of the British Parliament, because if it were not for the British North America Act the Government of Canada would have no right to levy a tax upon us. There was not even a delegated power to pass the Act given by the people, and therefore they are as virtually taxed by the British Parliament as the inhabitants of the old Colonies were in the last century. We are not represented in the British Parliament any more than were the old Colonies. How was this thing brought about? A delegation went to England, and authorized the British Government to pass the Act; it was so passed, but it was never ratified by the people of Nova Scotia. A reason given why the latter should be satisfied with this law is that power is left to the Local Legislature to tax the people for their own local wants. That is one of the arguments used by the men who defended the Stamp Act. The then Lord Chancellor said, in debate, "The nature of the Stamp Act seems to be mistaken. It binds all the Colonies in general, but it does not control the power each Province has to lay internal taxes for local purposes."

Lord Camden said, "My position is this—I repeat it—I will maintain it to my last hour—taxation and representation are in-

separable. This position is founded on the laws of nature; it is more, it is itself an eternal law of nature. There is not a blade of grass growing in the most obscure corner of this kingdom which is not, which was not ever represented since the constitution began; there is not a blade of grass which, when taxed, was not taxed with the consent of the proprietor."

If the people of Nova Scotia were taxed under this Act by their own consent, then most of the objections to it would be removed; but no man can say that the consent of the people was ever given to this British North America Act.

Let us now see what Mr. Pitt said, in the House of Commons, in the debate on the "Address of Thanks."

"It is a long time, Mr. Speaker, since I have attended in Parliament. When the resolution was taken in the House to tax America I was ill in bed. If I could have endured to have been carried in my bed, so great was the agitation of my mind for the consequences, I would have solicited some kind hand to have laid me down on this floor to have borne my testimony against it. It is my opinion that this kingdom has no right to lay a tax upon the Colonies. Upon the whole, I will beg leave to tell the House what is really my opinion—it is, that the Stamp Act be repealed, absolutely, totally, and immediately. That the reason for the repeal be assigned—because it was founded on an erroneous principle."

What was done at the end of the debate? The obnoxious act was repealed by a majority of 114, and the repealing act was carried to the House of Lords by more than two hundred members. That is what the people of Nova Scotia want the British Government now to do with this act, which is stamping out their energies and making them disheartened—to do just what they did for the old Colonies.

It has been said that this scheme was "conceived in sin and brought forth in iniquity." So glaring has been the corruption leading to its passage, and so hostile is it to the interests of the people, that we may say with Macbeth, on reviewing the whole matter, we have "supped full of horrors." Even the Sabbath day, we are told, was desecrated by some of these delegates by appending their signatures to this act. The hon. gentleman from Inverness makes a note. On the principle laid down by that hon. member in reference to the Attorney General, I can prove it. He said it had been rumored that the Hon. Attorney General had incited the people not to attend their militia drill, and as it had never been denied, he took it for granted it was true. Adopting his own style of argument, it has been asserted throughout the Province that this thing was done, and it has never been denied. Therefore, according to his own logic, I take it to be true.

The hon. member said a good deal about the city of Halifax having at the last election thrown a majority in favor of Confederation, and therefore he argued that the intelligence and wealth of the city supported the measure. But is Halifax the whole of Nova Scotia? No,

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only a small portion of it. Even if every man in Halifax had voted for Confederation that would prove nothing as against the whole people of Nova Scotia. But the honest-hearted member for Halifax rose in his place and told us that since the election a great change had taken place in the feelings of the citizens, and I take for granted, from his means of knowing, that his statement is true. I would like to know what the city of Halifax would be without the rest of Nova Scotia? Some people seem to forget the relation it bears to what is outside of it. The hon. member for Inverness next referred to the Great Confederate party; let us enquire a little into its greatness. Up to the 18th September the country was deluged by pamphlets of every description bearing on the question. Bogus proclamations, with the Queen's arms forged, were issued to prevent the electors meeting and consulting on this subject. The hon. member for Halifax spoke about bill stamps, and he could not imagine why so many were required except it was for ornament. They sent down from Ottawa election notices ornamented in the highest style of art, with only blanks left for the candidates' names. Thus were the elections managed in Nova Scotia. After all the official influences of this Province and of Canada, used as they were by no means sparingly, what was the result? They only succeeded in sending one man to Ottawa and two to this House. When the division on these resolutions takes place there will be witnessed a sight that was never seen before since Nova Scotia had a Parliament—every county voting on one side on a question of public importance after a lengthened discussion. Even the county represented by the hon. mover of the amendment will come up and join hands on the same side. The people of Nova Scotia, by the vote then to be given, will wipe out the false statement contained in the preamble of the British North America Act, that they desired to be confederated with Canada. Then will the people set their seal to the demand for repeal, that is coming up from every town and village and settlement in Nova Scotia. I entertain a good hope that this Union will be repealed. Two grounds for that hope I will mention to the House. One is that I do not believe that He who guides and controls the affairs of men, will allow the people of Nova Scotia to be oppressed by those who have, in the short time that has already elapsed since the passage of the Act, shown the same tyrannical spirit towards us, that characterized their proceedings up to that time.

The second ground of my hope is that the appeal of the people, constitutionally made, will shortly be presented at the fountain head of all that is "lovely and of good report" in the widely extended British Empire, where above the noise of party, and the machinations of evil and misguided men, even-handed justice sits enthroned in the person of our beloved Queen. I believe that the appeal, so made, will be none the less patiently listened to, nor none the less likely to be granted, because it is sent from a Province which was for a time the home of that royal lady's illustrious father, and in which her own first-born son was received with an outburst of

love and loyalty second to none that has greeted him in any portion of her dominions. I thank you, sir, and the House for the attention that has been given to what I have said. I shall cheerfully give my vote, as I am happy to know will be the case with almost every other member of the House, in favor of the resolutions laid on the table by the hon. Attorney General.

#### MR. LANDERS' SPEECH.

MR. LANDERS.—In rising to make a few remarks on the very important subject before the House, I beg leave to say that I am not here to represent Fenians nor Annexationists, but loyal subjects of Her Majesty the Queen. I believe that to be a very good maxim which reads never let go a certainty for an uncertainty. It was a certainty that previous to the British North America Act Nova Scotia had a good constitution—one that was highly prized by all her people. It was also a certainty that Nova Scotia had a good revenue amply sufficient to meet all necessary liabilities. This Confederation has now taken us into a position of uncertainty. I am one of those who believe that Nova Scotians should manage the affairs of Nova Scotia—that the voice of the people, her own representatives, should fix the tariff, appropriate the revenues, and control her offices, and allow me to ask are we in a position to do that under the Dominion of Canada. I answer no. A people residing seven or eight hundred miles away from us, in whom we have very little confidence, with whom desire very little more political dealings than the Jews of old had with the Samaritans—they now fix our tariffs, appropriate our revenues, and control the offices of our country. If there is any one thing that I desire more than any other that appertains to this life, it is that Nova Scotians may be freed from this detestable Confederation. When I say this I am not speaking only the sentiments of my own mind, but the sentiments of those who sent me here to represent their feelings and present interests; and feeling so strongly as I do upon this point, doubtless is one reason that causes me to believe that we shall obtain the repeal we are seeking for. I remember reading in a very good book of a certain king who had very large dominions—larger than those of Canada I presume. He had also a very proud prime minister—so very proud that he required every man who went out of the king's gate to make obeisance to him. It so happened that a certain poor man at the gate refused to comply with this mandate. The consequence of this was that the minister became very angry, but he scorned to lay hands on the poor man alone, and so he devised a plan to destroy the whole nation to which he belonged. He succeeded so far as to obtain the king's permission to carry out his wicked design, but when the king was made better acquainted with the wickedness of his minister, he saw the crime of destroying this poor people, and he accordingly countermanded his order and gave them permission also to hang the minister on a gallows fifty cubits high. I am confident when our Queen, God bless her! is made acquaint-

ed with the wickedness of confederating this Province with Canada, she will certainly countermand the order, and I trust she will issue a mandate to hang the chief betrayers of Nova Scotia. It has been frequently asked during the debate if Nova Scotia is refused repeal, what then? I am not going to answer that, but I remember reading the words a wise man said, "When the wicked beareth rule the people mourn." There will be mourning in Nova Scotia if the demand for repeal be not granted. Having made these few remarks I give my most hearty assent to the resolutions laid on the table by the Attorney General.

#### MR. RYERSON'S SPEECH.

Mr. RYERSON said:—This discussion has now lasted for some time, and it is therefore unnecessary for me to say much, but I feel I would not be doing justice to my constituents, were I to let this debate pass by without giving expression to my sentiments. This House has met for the purpose of taking into consideration one of the greatest questions that ever came before this country. We are called upon to deal with a law which has been forced upon us, and is in no way suited to the people of this country. The people have protested in the most loyal manner against the measure of Confederation, and it is now the duty of the Legislature to endeavor by every constitutional means to rid themselves of this North American Act. We have now met here to effect that object by appointing our delegates to proceed to England to lay the matter before the British Government. The Parliament of England must be told in plain terms that Nova Scotia will never agree to be confederated with Canada. With that country we have no sympathy and never can have. All that we ask is to be left alone to manage our own affairs. The people never asked for Confederation. They were contented and happy until that scheme was conceived and passed by Dr. Tupper and Mr. Archibald, who united to force it upon them, and to heap burthens upon them in the shape of taxes that are most grievous to bear, to hand over their revenues without their consent, leaving them nothing to provide for their roads and bridges and their schools, except 80 cents a head. If more money is wanted for our local services we must resort to direct taxation. Under our form of Government a ten per cent. tariff was ample to pay for our schools and roads and bridges, railway interest, and whatever we required. If went on increasing our prosperity we would have ample means for the construction of our portion of the Intercolonial Railway. When the delegates go to England there must be one thing they must be told in plain terms, and that is, to make no compromise. If they cannot get a repeal of the Act, then they must come home to Nova Scotia, and we shall see what is to be done. No doubt there will be delegates from Canada, and when the Parliament meets at Ottawa they will do everything they can to soothe down the people—they will pass any tariff we ask for in order to keep the yoke firmly on us. We must be very careful, and

not yield an inch; if we cannot get repeal from the British Government let us manage our own affairs for a while. We may be loyal to the British Crown, but let Nova Scotia manage her own affairs. If the British Government has withdrawn its protection from us we will go alone, and drive every Confederate out of the country. We have always been a happy and contented people before this act was forced upon us. Everything is now unsettled, and nobody knows where to turn.

There are a few persons called Confederates still who endeavour to hold up their heads to make people believe it is all right; but they know it is all wrong. The whole country is disheartened. We shall become a second Ireland; but I believe when these documents are laid before the British Parliament, repeal will be granted. Look at the Canadian tariff, and you see they relieve everybody who, they think, have influence in this country; they throw off the duty on 23 articles that enter into the construction of ships in order to neutralize a class of persons who possess weight and influence in this province; they take the duty off the rich man's wine and tax the poor man's bread. Whoever has known of bread being taxed until Confederation came into operation. The Canadians take the control of our light houses, our breakwaters, our revenues, and do with them as they think proper. Custom houses and Post offices are all controlled by the Canadians. If the people of Nova Scotia are going to submit to any such thing they are made of very different material from what I think they are. I do not believe the people have been sold for 80 cents a head—that they will submit to any such indignity. There is a certain class of persons certainly who are not worth half of that sum—that is to say, the Confederates—they are only calculated to bring disgrace upon us. I would like to see our delegates when they come back with the act of repeal, bring also a warrant to apprehend those arch traitors who sold this country. I believe they have yet to come here and to be tried in Nova Scotia for their disgraceful acts. Unless, indeed, they are forced to fly into the United States, and hide themselves in some remote section of that country. In conclusion, I would say that I fully endorse the Hon. Attorney General's resolutions.

#### MR. KIRK'S SPEECH.

Mr. KIRK said—I rise to make a few remarks at this late stage of the debate on this very important question which is agitating the people through the length and breadth of Nova Scotia, under circumstances somewhat embarrassing. I would have preferred remaining quietly in my seat, and giving a silent vote on the resolutions laid on the table by the hon. and learned Attorney General, and with which I entirely concur, but I feel that I would be recreant to my constituents and to the people of this country, and would not be doing justice to myself, if I did not express my sentiments plainly on this question. The people of my county were grieved when they learned that one of their representatives on the floor of this House,



after he had given them assurances of his opposition to Union, and in whom they placed their confidence, had walked across to the other side in direct defiance of his pledges and often repeated opinions, and voted in favor of the British North America Act. There can be no doubt as to the motives that actuated this gentleman thus to betray his constituents and pervert his principles, when we look at the other end of the building and see him occupying a seat in that body. There is another gentleman to whom I must also allude, to my great regret—I refer to the gentleman who was elected to the Dominion Parliament in my county, who enjoyed the confidence of the Anti-Union party so fully that no one dared to oppose him, who fought their battles manfully for many years in this House, and was for some time leader of the Anti-Unionists here, but who, on his first appearance in the Parliament at Ottawa, forsook his friends and accepted the Union. I can do no better to give an idea of the manner in which that intelligence was received in his county, and what the people there think of his recent action in this matter, than by reading a resolution adopted at a large and influential public meeting recently held in that county. The resolution says:—

*Whereas*, At the general election in this Province in September, 1867, the people of this County declared themselves against Confederation in the most emphatic and decided manner;

*And Whereas*, Mr. Stewart Campbell, for some time the acknowledged leader of the Anti-Confederate party in Nova Scotia, was nominated in the interest of said party, and as an Anti-Confederate returned without opposition.

*And Whereas*, The said Mr. S. Campbell, regardless of his solemn protestations, and in violation of the confidence reposed in him, did desert his party and "accept the Union";

*Therefore it is Resolved*, That this meeting disclaim and repudiate such gross misrepresentation of his constituents, and hold up the man and his acts to the contempt and execration of honorable men.

I allude to this matter because the Confederate party here are trying to mislead the people of Canada and England by saying that were it not for a few leading politicians there would be but little opposition to the scheme in Nova Scotia. This, however, is not the case, for although the gentleman just alluded to was perhaps the most popular man even in that county at the time of the recent election, there perhaps is no public man at this moment less popular. And why? Because he accepted the Union. The people are so determined for repeal that they will sacrifice their best men, if need be, to obtain that result.

The learned leader of the Opposition ransacked the pages of British history in order to discover a precedent to justify the late Government for the manner in which they forced upon the people of Nova Scotia the British North America Act. He talked of the Catholic Emancipation Act, the abolition of the Corn Laws, and of the Reform Bill, but he miserably failed to find justification for the course pursued. It has been proved by the gentlemen who have referred to these arguments that those acts were passed in Parliament, not in direct opposition to the wishes of the people, but the Government

was forced to pass them by the pressure brought to bear on them by the people. It has also been proved that the passing of those acts was an extension of the rights and privileges of the people under the purview of the existing constitution of Great Britain. Was this the case with the British North America Act? Did the people ask that any such act should be passed? or was it the mere extension of the rights and liberties of the people of Nova Scotia under the existing constitution? No, sir; it was done in direct opposition to the wishes of the people. Petitions were sent up here from all parts of the country, numerously signed, asking that no such measure should be passed, but no notice was taken of them. It was passed despite the people. Nor was it an extension of the rights and liberties of the people of Nova Scotia; it was the very reverse. Our rights and liberties have been taken away, and handed over to a people eight hundred miles away, with whom we have but little trade or intercourse, giving them the power of taxing us as they please, of collecting our revenues and disbursing them in whatever manner they may think proper.

The experience of the last six months has proved that the Canadians are determined freely to exercise the powers they have thus unconstitutionally obtained over us. They have raised the Tariff, under which Nova Scotia had prospered, and which was found quite sufficient to meet all her wants, from ten to fifteen per cent.; they have imposed upon us a stamp tax, and they have taxed newspaper literature, and placed a duty on Corn, and Cornmeal, an article which the poor fishermen of Nova Scotia largely consume, all of which duties, previous to Union, Nova Scotia was perfectly free. And our representatives in the House of Commons, at Ottawa, were powerless to prevent the imposition of those obnoxious acts; and when the mining interests of this Province asked for the concession of one small privilege, the protecting of their interests, by placing a small duty on foreign coal, it was refused. And it is because our rights have been thus trampled upon, and that we have been so highly taxed, and the power of taxation given to a people who know little about us, or our necessities, (saying that we hitherto have been a prosperous people), that we ask repeal. And, sir, because we ask repeal, we are told we are disloyal, annexationists, &c. Now I would like to know, who are the people that ask repeal? They are the bone and sinew of the Province of Nova Scotia. Sons of loyalists, of those who fought and bled for the honor of the British flag, and men who are as willing to-day as ever before to do the same, if protection is afforded them. And they do not all comprise the poorer or less intelligent class of the people; and it is not true that all or any great portion of the intelligence is in the Confederate ranks. We ask repeal as a question of right, and nothing but repeal will suit Nova Scotia, or satisfy her people. We are frequently asked, "If you do not get repeal—what then?" What then. The people of Nova Scotia will then act as becomes loyal people; who were once free, and who have now lost their liberties.

I can only say sufficient unto the day is the evil thereof.

#### MR. TOWNSEND'S SPEECH.

MR. TOWNSEND said:—So much has already been said on this question that I shall occupy the attention of the House for a very few minutes. I feel proud of Nova Scotia as I look around this House, and see the men who are here to represent the true sentiments of the people. I ask, where are the 31 men who sat here a year ago, and bartered away the rights and liberties of this country? Only one of them has escaped to tell the tale. When I was a young man we had a debating society, and sometimes we got a question on which we all agreed, but somebody would step forward and take the hard side, and I think the hon. member for Inverness has had the hard side all through. His financial argument is entirely swept away by the hon. members from Kings and Digby, and so it is unnecessary for me to say a single word on that subject. References have been made to a certain statement cooked by Mr. Johnson at Ottawa, and certainly I regret to find it backed up by Mr. Tilley. He only endorsed it because he had not looked it through, for I believe him to be a man of honor and great pluck. He was not afraid to go before the people and ask their opinions on the question of Confederation. If Dr. Tupper had pursued a similar policy he might have fared much better than he did. I do not think the people would now be satisfied even if he gave us back our old tariff. We want to tax ourselves and to have no connection with Canada. We do not wish to quarrel with the Canadians—all we ask is to have our old status restored. Look at the present condition of this House—reduced to little better than a quarter sessions. A good deal has been said about the constitutional part of this subject. It is one of the glories of England that her statesmen had the courage to pass the Emancipation Act. Was there a man rejected by the people because he supported that measure? Mr. Cobden preached at every polling place in the country in favor of the abolition of the Corn Laws. He was supported by the voice of the people, and Sir Robert Peel was constrained by the force of public opinion to support that measure. Was there a man turned out on account of his action on this question? So highly did the people think of Mr. Cobden that they subscribed to buy him an estate. I can think of a case like this. In Poland they could not agree among themselves, and they asked the assistance of Russia, and then she came in and divided the country. We will fight for our rights as long as we can, and I believe the Queen will let us go. We will not obey Canadian laws—we will obey every law until England says no. Then instead of being the most law-abiding we will become the most lawless. The people are aroused; they will go ahead when they are once aroused. It is this excitement that I wish to allay. When our delegates go to England let them state the case fairly. We have no wish to go into the American Republic, for I consider it the most tyrannical rule on earth.

#### MR. McDONALD'S SPEECH.

MR. D. McDONALD said:—I have no intention in rising on the present occasion to detain the House for any length of time, for the subject has already been fully discussed. The question of Confederation has been discussed in every town and hamlet in the country during the last eighteen months, and the people of Nova Scotia have patiently heard the arguments and deliberately weighed their merits, and have declared with singular unanimity against the measure. Their hatred of this Act has been intensified by the recent action of the Canadian Legislature. Our power and influence in the Local Legislature is exceedingly limited. All our revenues and rights are under the control of the Canadian Parliament and Government. There is no parallel case in British history except the union of Great Britain with Ireland. There the Legislature was corrupted and the country arbitrarily annexed. The hon. member for Inverness has quoted a speech made by the great Pitt in advocacy of that measure. Pitt has passed away and so has his policy. It is no longer recognized by the people or Parliament, but is repudiated forever. His speeches are no authority on constitutional law—they are *ex parte* statements. The great men who preside over the councils of the nation would forfeit their position if they pursued the policy of Pitt. The spirit of the British constitution is truth and justice, and when fraud and corruption or force are employed in violation of that constitution to affect any object evil consequences must surely result. We have an example of that in Ireland at the present hour, and will probably have an example nearer home. I am not going into a lengthy argument on this question. I perceive that hon. members are anxious to have the debate brought to a close, but I will say a few words about the cry of disloyalty. The loyalty of the people is unimpeachable. Some may call us disloyal, but we abhor the very idea of annexation. We have an abiding faith in the justice and honor of our Queen, of the Parliament and people of England; we believe we shall receive justice at their hands; but if we do not, what then? Who can answer that question? There is one thing that can be said, that the free people can never forget such an injury—thus will Nova Scotia become discontented—the Ireland of the New Dominion. In conclusion I will only add that I have been sent here by a large majority of the electors of the County of Antigonish, by nearly the whole body, I may say, to support any measure that will have a tendency to effect the repeal of the British America Act so far as Nova Scotia is concerned. In accordance with the wishes of my constituents, and with my own pledge to them, I support the resolutions now before the House.

#### DR. BROWN'S SPEECH.

DR. BROWN said:—I cannot allow the present occasion to pass without making some observations on the question before us. I feel that the present discussion has nearly exhausted the subject, and that I can add little or nothing that is new and striking; still I

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no intention to do time, for I have been discussing in the country, and the people have recently heard of their hatred to the recent Legislature. Our revenues and the Canadian There is no except the land. There the country member for the measure. Pitt policy. It is a simple or Par- brever. His constitutional amendments. The councils of session if they spirit of the justice, and force are em- nation to en- uences must ample of that and will pro- home. I am ment on this members are ight to a close, the cry of people is un- disloyal, but exaction. We ce and honor and people receive jus- do not, what tion? There at the free injury—thus tented—the a conclusion sent here by of the Coun- whole body, re that will eal of the ova Scotia is the wishes of n pledge to now before

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now the pre- taking some re us. I feel nearly ex- in add little ing; still I

hold it to be a duty every representative owes to his constituents and to the country, to say something on a question the most vitally important that has ever been debated on these floors. My speech shall have one merit at least. It shall be short. I am a great admirer of short speeches, although I know it is common to hear public speakers and their friends boast that they had spoken for two or three or more hours. The hearer's attention is very apt to flag after listening about half-an-hour, and what follows is very likely to spoil the effect of the whole. I may say at the outset that I entirely approve of the Resolutions before the House. I have carefully conned them over, and can find little or no fault either with the sentiment or the language. They express in a plain and forcible style the feelings, the hopes, and the aspirations of the great majority of the people of Nova Scotia.

Why has this hateful connection been forced and fastened upon us? I think I can give some of the reasons. Canada wanted us. She was in trouble; she could not reconcile the adverse and conflicting sections of her population; she needed our aid to strengthen the dominant party; she wanted us to help pay the interest on her debts, and to help her fight her battles. They had tried separation and Union, and many other experiments, and ended by coming to a dead lock. Another reason was that certain leading and ambitious men of this and the sister provinces thought they saw in this measure the means of securing to themselves a higher position, a larger sphere, greater honors and emoluments than this little province could offer. They cared not for their country; they were willing to barter away its rights for their own aggrandisement. I am sure these designing men must have seen that this measure could not possibly be for the public good. No sane man, who is not blinded by interest or prejudice could, on calm reflection, see anything in it but public calamity. They hoped to affect their purposes by the junction of the two great parties that have hitherto alternately swayed the destinies of the provinces.

Another reason is to be sought, I fear, in the position of the Mother Country. It seems clear, too clear, that Great Britain would be glad to solve the question, how she could honorably get rid of us. I regret to be compelled to admit this, but I think it cannot be denied, looking at the speeches of her statesmen in and out of Parliament, the outspoken opinion of a large and respectable portion of the press, and the general tone of public sentiment, that this is a just and fair conclusion. If England really desired to retain this Province, our case would have received more consideration when brought before the two Houses of Parliament. It is probable she is beginning to perceive we are more trouble than we are worth, and think this Confederation scheme, whether it may bring good or evil to us she cares not, will serve as a decent pretext to cut us adrift. Another reason why Britain is willing to part with us, is the difficulty of defending us. We are utterly unable to defend ourselves. These colonies are like a string of beads, strung along the borders of a great and powerful nation,

which can swallow us up at any moment. The shrewd politicians of the old country fully understand that in case of war how impossible it would be to defend us at a distance of 3000 miles against an enemy with a million fighting men trained to arms, capable of being increased to five millions, possessing ample means, and all the activity, energy and sagacity of the Anglo-Saxon race. They know full well such a contest could have but the one result—defeat and dishonor. We are the weak spot of the Empire. The great Indian territory, surrounded by weak neighbors, with its millions of native soldiers, is capable, with very little aid, of self defence. The insular position of the great Pacific Colonies, Australia, New Zealand, of Jamaica, the Mauritius, and the other eastern and western isles, makes their defence easy. The same may be said of the Cape Colony and her other African possessions, which cost but little anxiety or expense. It would seem, that in the selection and planting of colonies, England always kept a careful eye to the expense of their maintenance and their defence with the single exception of the North American Provinces, which were thrown upon her by the action of the United States loyalists, with scarcely the option of retaining or rejecting them. We can hardly wonder, then, that Englishmen think these North American Colonies are a nuisance and a bore; let us make a nation of them, and let them set up for themselves.

I now approach a tender point—I mean the sentiment called loyalty. For my own part, no man could be a more sincere admirer of the British institutions than myself. I have always sympathized with British armies and generals when at war—and with her noble statesmen, her politics and literature when at peace. What I have said of myself will very generally apply to nearly all the people of this Province. I do not presume a people better satisfied with their political, commercial and social condition existed on the face of the earth. I am afraid I must refer to this matter as one of the past. The facts stated have greatly changed the popular enthusiasm. I fear this intense feeling of loyalty begins to waver, and I must say I am not surprised at it.

Hon. SPEAKER—I must call you to order.

Dr. BROWN—I must speak my opinion plainly and distinctly. I think that loyalty should be reciprocal, and that loyalty to ourselves is the first great point. We should take care of ourselves, and Great Britain is as much bound to be loyal to us as we to her. Loyalty is often only another name for humbug and hypocrisy. If Great Britain is unwilling to take care of us we must only take care of ourselves. The learned Speaker has not called me to order, but has simply given me a gentle hint. In the House of Commons much broader language is used. We find Mr. Bright saying openly and distinctly, if it pleases Nova Scotia to go to the United States let her go. We find another—

Hon. SPEAKER—Mr. Bright may say very rude things in the British Parliament—he don't break any rule; but I do not think the hon. member would say that the people are disloyal now.

**Dr. Brown**—According to my knowledge of the feeling in my own country there are three-fourths of the people would prefer annexation with the United States to a connexion with Canada.

**Hon. Atty. General**—That is true.

**Dr. Brown**—Still they are quite willing to remain as they have been. I find on reference to a speech delivered by Mr. Killam in the year 1866, that he gives the remarks of a certain Mr. Oliphant, a member of Parliament, made at Sterling. In speaking of republican institutions, he said :

"To his mind there was no spectacle furnished by the world at this moment so interesting as the 30,000,000 Anglo-Saxons working out by hard experience the unworked problems of Republican Government. In the first place there was no other race fit to cope with those problems, or to understand the principles they embodied, but that to which we and they belong. Although he did not believe in them for this country, he did most cordially believe in republican institutions for America. As an Englishman he had no sort of objection to the Monroe doctrine and the spread of Anglo-Saxon Republics all over the American continent—the more the better. There is no reason, because we are a constitutional monarchy, and well satisfied to remain so, that we should insist upon our colonies, which had none of the traditions or associations which had made us what we are, adopting monarchical institutions after they left us."

I will also quote from the same speech a conversation that took place between Lord Jervis, the famous Admiral :

"Lord Brougham, in his lives of eminent statesmen, says of Sir John. His sagacity no man ever found at fault, while his provident anticipations of future events. He says we shall see a remarkable example of this faculty in a matter of deep interest at the present moment. (1839. If of deep interest then, how much deeper now). When Lord Shelburne's peace was signed, (1783,) and before the terms were made public, he sent for the Admiral, and showing them, asked his opinion : "I like them very well," said Sir John, "but there is one great omission." "In what?" "In leaving Canada as a British Province." "How could we possibly give it up?" said Lord Shelburne. "How can you hope to keep it?" replied the veteran warrior, with an English republic just established in sight of Canada, and with a population of a handful of English settlers among a body of hereditary Frenchmen. "It is impossible, and rely on it you only retain a running sore, the source of endless disquiet and expense." "Would the country bear it?" "Have you forgotten Wolf and Quebec?" asked his Lordship. "Forgotten Wolf and Quebec?" No, it is because I remember both. I served with Wolf at Quebec; having lived so long, I have had full time for reflection on this matter. and my clear opinion is that if this fair occasion for giving up Canada is neglected, nothing but difficulty in either keeping or resigning it, can follow."

There is one thing I may say in connection with this question, and that is, the subject of free trade between this province and the

United States is of more importance than all other questions; it strikes me that on it depends the salvation of this country. I may say a word or two with regard to the means used to induce the House of Assembly to pass this Act. I hesitate, and it would be invidious to name the persons concerned in this unholy bargain and sale of our rights. Certainly some gentlemen here recollect the mode pursued to induce the members of this House to vote against their express convictions. I had frequent conversations with gentlemen who voted for this Act though they had expressed themselves strongly as possible against it previously. It is easy for us to comprehend how this was brought about. We know when the Union was accomplished a large number of them obtained their reward.

Then, again, others were gained by intimidation. They were compelled to vote in a certain way by a certain pressure. This pressure, I recollect, was brought to bear against me because I happened to have a brother in a subordinate position in this County. The leader of the Government at that time made me the subject of repeated, most savage, and unjustifiable attacks. To prove this I may appeal to some gentlemen now around these benches. He thought to coerce me into submission, but I was less anxious for his good opinion and support than that of the electors and citizens of Kings.

The means used to carry Confederation was misrepresentation to the British Government and Parliament. That is well known, and it has been so much discussed that I need not dwell upon it. Mr. Watkin has been often alluded to, and no doubt he and his Nova Scotian coadjutors have been largely instrumental, by the use of unfounded assertions, in fastening this curse upon us. Another means was, by subsidizing the Press. We all know what immense sums have been given to certain publishers during the past few years. One person, you will see from the Blue Book, received \$15,000 for a period of nine months ending June last, and it is told by those who should know, that \$8,000 or \$10,000 more are included in other accounts, of which the items are not stated.

What are the effects of Confederation? The first is, we are injured financially, we lose very largely indeed. I shall not enter into details, for gentlemen who have preceded me have gone into the subject fully. It is easy for any man of common sense to see that the expense that will result from the extensive establishments kept up at Ottawa, with a Governor-General at its head enjoying a salary of \$50,000 and other offices in proportion, to prove the extravagant and wasteful expenditure of Canada. Take the fact that a prosperous and fertile country, with natural resources almost unsurpassed, contrived to swell up a debt little less than that of the United States, in proportion to population, although the latter has been engaged in a fearful civil war of more than four year's continuance. How can we help coming to the conclusion that they are most extravagant? No doubt the increase of our taxation will be about 50 per cent above what it has been previously. As an example of the extravagant

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expenditures of Canada, I will give you a list of the sums paid in connection with the removal of the seat of Government from Quebec to Ottawa, in 1866:

*From the "Public Accounts of the Province of Canada for the fiscal year ended 30th June, 1866. Printed by order of the Legislature, Ottawa."*

|                                                                                                                                                                               |                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Paid to D. Godley—Removal expenses Gov. Genl. Bcy's offices and staff from Quebec to Montreal, and thence to Ottawa.....                                                      | \$4,221.10          |
| Do. do—Gov. General's establishment, do..                                                                                                                                     | 520 00              |
| K. A. McEldith—do Prov. Bcy's office Quebec to Ottawa.....                                                                                                                    | 4,505 03            |
| G. H. Lane—do Prov. Registrar's office, do..                                                                                                                                  | 2,317 28            |
| T. B. Harrington—do Rec. General's, do..                                                                                                                                      | 2,868 90            |
| W. Dickenson—do Finance Department, do.                                                                                                                                       | 3,276 90            |
| R. B. M. Bouchette—do. do. do. Customs Branch do.....                                                                                                                         | 3,320 50            |
| T. Nudsen—do Bureau of Agriculture, do                                                                                                                                        | 9,852 57            |
| J. C. Tache—do Public Works Dept., do                                                                                                                                         | 8,495 33            |
| W. H. Griffin—do Post Office Dept., do                                                                                                                                        | 5,768 80            |
| A. Russell—do Crown Land Dept., do.                                                                                                                                           | 18,245 03           |
| Col. McDougall—do Militia Dept., do.                                                                                                                                          | 4,447 23            |
| J. F. Taylor—do Legislative Council, do.                                                                                                                                      | 10,168 30           |
| W. B. Lindsay—do House of Assembly, do                                                                                                                                        | 20,272 50           |
| Oralg & Vallin—do for removal of departmental furniture.....                                                                                                                  | 16,199 00           |
| Various smaller charges.....                                                                                                                                                  | 16,766 29           |
| To Hon. Sir N. F. Belleau—to enable him to pay the employees of the several departments of the Civil Government an addition of 20 per cent. on their original allowances..... | 22,623 57           |
| To do—to enable him to pay amounts awarded by Special Commission for losses sustained, &c, including double rents, on account of removal of the seat of government...         | 22,819 78           |
|                                                                                                                                                                               | <b>\$177,469 47</b> |

Here you see that the total expense of this removal amounted to the enormous sum of \$177,459. I think that a private individual might have been engaged to do the same amount of work for one-tenth of that sum. Another of the evils of Confederation is the alienation of the affections of the people, but I need not dwell on this subject. The prophecy of the Confederate party was that in a short time the people would accept the situation as their neighbors of New Brunswick had done. It appears to me the popular feeling is intensified every day. In this city you now hardly meet a person who raises his voice in favor of Confederation. In my own county it would be entirely useless for a Confederate to offer himself at the hustings. It is not that we have been defrauded and deceived, but we have been insulted—we have not had the ordinary privileges of freemen. One of the greatest wrongs connected with this Confederation is, that all the offices are filled up by persons in whom the people have no confidence—the customs and excise, the post office, the light-house service, the judiciary, and almost every other department are controlled by the General Government, and filled up by servants and favorites, and if we want any change in connection with them we must go all the way to Ottawa, and most likely fail in our application afterwards.

I wonder how my friend, Mr. Blanchard, can stand up and say that it is right that these offices should be filled by a party that forms only a fraction of the people of this

Province. In closing I will refer to an old fable which I read with interest a long time ago. Two pots, one earthen and the other iron, agreed to take a voyage together; the earthen pot was shy at first, considering its frail nature, to undertake it. But the iron pot promised its companion whatever happened to take care of it. The weather was fine, and the two sailed along very gaily on the smooth current for a while, but bye and bye there came up a squall, and the iron pot came into contact with the earthen pot and knocked it to pieces. That will be the way with us. If we consent to make the voyage with her Canada will sink us. In conclusion, I will only say that I hope that the application for repeal that is now being made to England will be successful. I do not know much about governments and diplomacy, but I trust a sense of justice will prevail with the rulers of the British nation, and that we shall be restored to our former happy condition.

#### MR. FERGUSSON'S SPEECH.

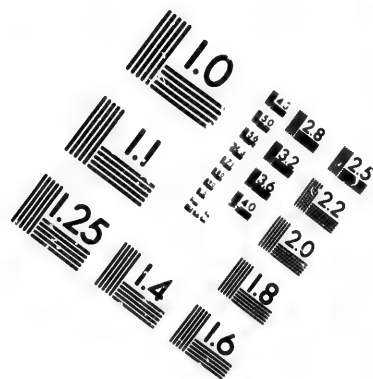
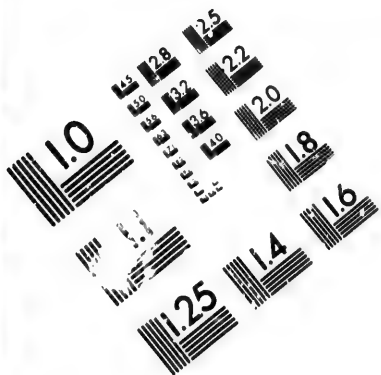
Hon. J. FERGUSSON said.—Since you, sir, have directly addressed me, I shall make a very few remarks. There is no doubt that there is a deep feeling of discontent pervading the whole Province in consequence of the Act of Union which has been recently consummated without the consent of the people. I much mistake the people of Nova Scotia if they do not resent it at some time or another. I don't wish to make any threat, but we cannot conceal from ourselves the fact—*fact* it is palpable through the whole country, and it will be soon known in England—that never was a greater act of injustice perpetrated on a free people since the American revolution. No regard was paid to the petitions we sent home a short while ago. Now delegates are going across the water to make known the voice of the people through the constitutional channel; that is, through this House; and I have great faith in the sense of justice, in the love of fair play, in the wisdom of the people and the legislature and statesmen of England, that they will do us that justice to which we are entitled. I am confident that the time is not far distant when the Province of Nova Scotia will be gratified by the knowledge that the obnoxious Act of Union, so far as we are concerned, will be repealed, and we shall obtain our rights and liberties, of which we have been so unjustly deprived, and then content and happiness will again prevail among us as in times past.

#### MR. YOUNG'S SPEECH.

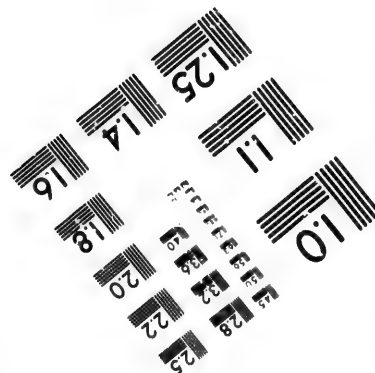
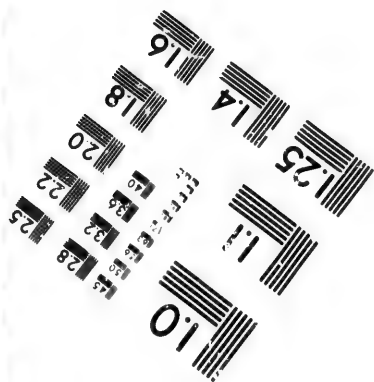
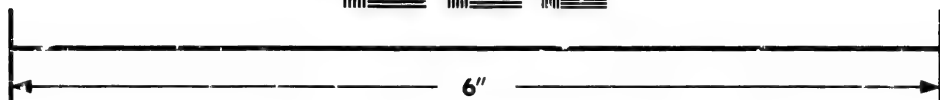
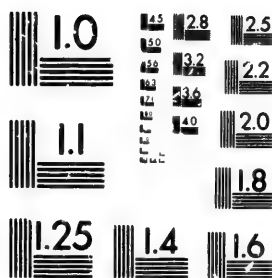
Mr. YOUNG said :—In ancient times it was the custom for the younger senators to speak first, and such appears to have been the case to a certain extent in the present debate. I have no intention, let me say at the outset, to go into the financial part of this argument; the Provincial Secretary gave us all the information that was necessary on this particular point. All I can say is that last year we had both our pockets full of money, but now we have little or nothing in them. As respects the Canadian Parliament, see what was the very first thing they did—they added insult to injury; they send persons







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persons here to take charge of our custom houses. A good deal has been said about the power of Parliament. Parliament has no doubt considerable power—it has been said that is able to do anything but make a man a woman. It would be a pity that this should be done now, for the poor girls find it difficult enough now to find husbands. But the power of Parliament is limited to a certain extent: suppose it passed an Act to burn the city of Halifax. It is said they could do so; but could they sustain it by public opinion? An Act just as bad has been passed. If they passed an Act to burn up all our houses, we could rebuild them; if our ships are lost, we can make new ones; but liberty and freedom, once gone, are really lost. One argument against this measure, and the strongest, is that the people do not want it. The man who brought this measure forward knew as well as we do that we do not want it. They told dreadful stories on every occasion. I remember one gentleman saying that the Canadians owned 7,000,000 tons of shipping, whereas the fact is Upper Canada has not as much shipping as Nova Scotia by a good deal. I cannot understand the action of the late Legislature. The idea of men sent here with certain powers voting themselves out of power, and going back to their constituents and telling them so, is a palpable absurdity. What would my constituents say if I told them that I had not only voted myself out of power, but had also handed over their rights to others?

Now I believe that the expenditure of \$20,000,000 in connection with the Intercolonial Railroad had a great deal to do with the passage of this measure. Certain persons will get big commissions. Then some people liked to have it said—they had got the railway—notoriety is very dear to many persons—for instance, the man who set the Temple on fire. The Attorney General told us we held our institutions from the Queen. If I mistake not the Canadians had their representative institutions granted by the Imperial Parliament. There is a difference, therefore, between the two. To think we should enter into Union with over a million of French Canadians. These people buy little or nothing, as compared with ourselves; I know it from my knowledge of the same class of persons in New Brunswick. A French author has said that France is the brain of the world; but I don't know about that. At all events, in my opinion, this Nova Scotia is the brain of British North America. In the feudal days loyalty was very well; but now-a-days there is a good deal of bread and butter about it. I think I am loyal myself, but I do not make so much talk about it as some persons; I show my loyalty by my acts. As respects these resolutions, I shall vote for them. As respects Repeal, I hope we will get it; but I am not so sanguine as some are. If we do not get it, what then? Well, we have to suffer; we have to be a second Ireland; it will come to that. The world may pity us, but what good will that do? I would just say to this House and to the people, every Nova Scotian who has a soul should step forward and get rid of this hateful Union. The hon. member for Inverness talked about

poison bags. A great many persons have such things; but they keep them quiet; he unties his and scatters the contents broadcast over the House. I have seen so much of the poison that now I am not frightened at it. I am a good deal like the Eastern monarch that fed on poison, and so it lost its effect upon him.

#### MR. PURDY'S SPEECH.

MR. PURDY said:—At this late stage of the debate, when the subject has been exhausted, I would much prefer giving a silent vote, but looking at the question in all its aspects, and knowing the importance of the great issues before the country, I feel that I would not be fully discharging my duty if I gave a silent vote. I shall not attempt to make any lengthy remarks, because it is already pretty much exhausted.

I feel, sir, that the importance of the question demands that we should give it a careful consideration, and advance every important idea that can be brought out, in order that the matter may be laid fairly before the country and before the British Government to whom we appeal. I will not detain the House at great length, but I wish to review the principal branches of the subject. Our first Assembly met in 1758,—we were governed for years by an irresponsible government,—the Governor surrounded himself with whom he pleased, and the country had no power to make him change his councillors, so that the opinions of the people would be reflected. It was soon found that a government of that kind did not promote the prosperity of the country;—and the people spoke out, demanding a more just and equitable distribution of the patronage and power, and required that they should have the control which rightfully belonged to them. I will not delay to narrate the means by which Nova Scotians at length came to enjoy the privileges of a free people. They had a right to a free government,—they had shown themselves a loyal people, and had striven hard to maintain the British flag in this country. The thirteen old colonies felt the Stamp Act grievous to bear,—on its passage they manifested every sign of displeasure and regret, and finally rebelled, but Nova Scotia remained loyal and true even to this hour. We showed a loyalty in our early history in bringing the militia to defend this city at various times, and whilst the settlers in the country districts were clearing their lands and building their houses with one hand they were defending their families from the attacks of the Indians and other enemies with the other. I might also narrate a long chapter of events occurring in 1812 when the war with the United States broke out, and our people were called upon to suffer many privations. Privateers infested the coast, harassing our fishermen and destroying our commerce, and then, sir, our House of Assembly, although the revenues were very small, gave a large grant of money to aid the militia, fitting out armed boats, and preparing for the defence, not of only our homes but of the British flag on this side of the Atlantic. I am the descendant of British loyalists, and I feel

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that the history of our country warrants us in asking the justice which we are about to demand of the British Government, and in believing that our request will be heard.

I might go on to show that this country has not only been loyal, but that she has been generous. Look back at our early history, and you will find that when fires occurred in Boston, Montreal, Miramichi, and other places, at various times, Nova Scotia contributed freely for their relief. Not only so, but when the battle of Waterloo took place, and the British soldiers had left widows and orphans to be provided for, the loyalty and generosity of this country was shown by a contribution that was honorable and handsome. Yet we are told that because we stand up, like men of a free country should, we are disloyal. I trust the time has now arrived when no man will dare to hurl the slander of disloyalty at the Anti-confederate party in this Province. Loyalty does not surely prevent a people from claiming their rights and privileges. Among the other characteristics of Nova Scotian enterprise has been prominent. I might enumerate the principles of trade, and show that in none of them have we been deficient. Method of government and frugality of government might form another branch of my argument by which I might show that we have been able to govern ourselves in a most honorable and satisfactory manner. Bravery might also furnish a topic for remark for the brave and proud hearts of Nova Scotians would never allow any aggressor, single-handed, or in a multitude, to trample on their rights. They have nerve and manliness enough to resist, and when I heard it said that our request for repeal will be unheeded, and that the British Government will carry out the Confederation Act by means of the troops in the citadel, I feel that they may crush out the free spirit of Nova Scotians; but they will have something to do which I trust never will be done. I trust that the Government will never ask British troops to fire on a Nova Scotian, and I believe that Nova Scotians will not require it, for, with fair argument and common sense they will obtain from the British Government their rights as free subjects. It is not worth while now to narrate at length what has transpired from the time when we were a Crown Colony. As intelligence advanced, and our resources were developed, a change was found to be necessary in the constitution of the Province. I refer now to the time when responsible government was obtained—to the period when the Howes and others came out and asked that the people should have more freedom and power in their Assembly, and that the government should be carried on according to their wishes. Those events are well recollected and understood in the country, but how was that change obtained? It was by going honestly to the country and asking the people whether they desired a change in their institutions; going throughout the length and breadth of the land; appealing to the sound sense of Nova Scotians, and asking them to elect men who would join in the demand for more power and freedom. The demand was made that the doers of the Council Chamber

should be unlooked, and though the Council asserted its rights with a great deal of dignity and force, yet those doors were opened by pressure of public opinion. The Councillors have ever since been under the public eye.

The British Government at that time gave up something—they gave up the power of taxing us and of appointing our Executive Councillors without our consent, and vested in this House the full control of the revenues; we were allowed in short to govern ourselves in the manner we thought best. I might go on to show that although from the time when the first tree was cut in Halifax to the time when Responsible Government was granted, our progress was slow. Yet from the moment when the people obtained control of their own affairs, our trade and resources were developed, and the country prospered in a ratio far beyond what it had achieved up to that period. It was obvious to any one that our own people ought to be better judges of their own requirements than persons across the water. I have said that our progress was slow since 1749 down to the time when Responsible Government was conceded, and I might cite many facts in proof of the assertion; in 1816 the first coach went to Windsor, in 1814 we had only three lighthouses, in 1825 our population was only a little over 100,000. But when Responsible Government was granted, and power given to the people to control the Government, the country advanced with a degree of prosperity which was most honorable to it. We immediately commenced building breakwaters and lighthouses, improving harbors, opening free roads, and building bridges, extending postal communication, and building railways, and yet, until after Confederation, we had no bread tax, no paper tax, no stamp act, our tariff was low, and yet our people were increasing in numbers and in wealth. We naturally enough looked about to see what resources we had that could be developed; we were nearly surrounded by the sea, we had harbors plentiful and good, timber was convenient, and there was no reason why we should not turn our attention to shipbuilding. We did so, and the result is that Nova Scotia owns more shipping in proportion to her population than any country in the world. I was struck the other day with a statement which showed that in 1866 we owned 3509 vessels, of 400,895 tons, while New Brunswick, Ontario and Quebec, forming the great country which the Unionists would have us believe is a garden of Eden, owned altogether but 2873 vessels, of 439,800 tons. Let us govern our own country, and we will develop our resources and foster those interests which are most congenial to the country. The public records show that down to 1863 there took place in this Assembly constitutional debates which are fresh in the minds of most of us, and I desire to draw attention to what took place particularly in 1863. Since responsible government was established all the public grievances were brought before the people at the general election, and at that date there were no constitutional difficulties, no grave public errors, but the great question before the country, whether honestly raised or not I will not stop to inquire, was

that of *retrenchment*. I put it to the House that if there had been grievances they would have been brought forward; but that seemed to be the only question which the people were asked to decide upon. As a proof of this I refer you to Dr. Tupper's letters and speeches. In a letter dated May 16, 1863, over his own signature, he raises the issues for the elections. It is true that in that letter he turns aside for the purpose of showing that Mr. McCully was a man of most abominable character, tinctured and tainted from the crown of his head to the soles of his feet when money and his own advancement were concerned; but he puts forward as the great issue, "taxation or retrenchment." The people decided, and returned a large party to the House in favor of retrenchment, taking the issue as they found it placed before them. Then we come down to 1866, and to what more particularly concerns the subject under debate—the resolution on which the Confederation Act is said to be based. To my mind that resolution lacks the essential element of authority to the delegates to do as they have done. The word "arrange" did not authorize the delegates to *accomplish* and *complete* an act; it merely put them in a position to discuss and eliminate all the arguments for and against the scheme, and to put the matter in proper shape before the House. The delegates, under that resolution, had a right to only "arrange" the political questions of the day—to bring the material into shape; but the command remained in the Legislature, and they were bound to come back for final orders. Before the delegates went to England there were no petitions in favor of the measure, but numerous petitions against it; our condition was sound and good, and the people little thought that so great a change would be made without asking their consent. So it laid in my mind; I was convinced that the delegates would never think of having the act passed without consulting the people, and I had too much confidence in the Imperial Parliament to suppose that it would pass it under such circumstances. To dwell upon all the aspects in which Nova Scotian interests have been sacrificed would be impossible for me at present, and it is not so necessary since gentlemen have discussed one point after another so fully in this debate.

One of the points, however, which suggest themselves, is the injustice done to us by not having the debts of the different Provinces fairly and equitably adjusted. The debt of Nova Scotia has been created by the building of lighthouses, breakwaters, improving harbor, opening and maintaining free roads, building free bridges, railways, &c. Not one dollar of our debt was caused by deficiency of revenue to pay officials, whilst \$22,000,000 of the Canadian debt was incurred for borrowed money to meet current liabilities, and of course has no equivalent asset. It has always been a grave question with me whether the British Government, not being liable for our debts, can control our *assets*, and upon this point I might refer to the remark of Earl Gosford, who said that the debt of Canada, not being under the control of the British Parliament, the question could not be touched

by that body. I think there is a fair question for discussion in that suggestion. I will now turn attention to what this Assembly and the people have been doing for the last thirty years. Have they been inculcating no leading principles of Government? They have. In 1836 the policy of consulting the people at the polls was announced; Mr. Howe advocated the introduction of Responsible Government, the people accepted the principle, and the elections resulted in a majority to carry out that policy. In 1837 the issues respecting Responsible Government were fairly before the people, and the question was whether the country should continue under it or recede. It decided to continue. We are then down to 1850 when the House had under consideration a bill respecting the Legislative Council. It was thought by some that the Council should be made elective, and a discussion arose on that issue. This House at that early date enunciated the principle that in a change so material the opinions of the people should be ascertained. A resolution was carried in these words:

"*Therefore Resolved*, That it would be premature in this House to express an opinion on so material a change in our Provincial constitution, and that the sentiments of the people thereon ought to be first of all ascertained."

Here then this Legislature passed a resolution confirming indelibly the principle that not even a change in the Legislative Council, making it an elective instead of an appointed authority, should take place without an appeal to the people at the polls. Then again in 1851 the same principle was established, when the House of Assembly had again under consideration the question of an Elective Council. After debating several days, a resolution was reported from Committee of the whole. The following is an extract: "This House is of opinion that it is wise to defer the consideration of so organic a change in the constitution until the general election shall have been held during the present year;" which passed, and established the policy again of consulting the people at the polls. It would be worth while to scan the policy of the leading men of this country for the past few years. Dr. Tupper has been one of these leading men, and I will therefore be right in criticising his public acts and endeavoring to ascertain the ideas on which he acted. In 1859 he advocated strongly the principle that we should not accept the railway guarantee, and fasten a railway system on the country without going to the polls. Does not that shew that his conviction was in favor of giving the people the freest and widest expression of opinion on any important change? In 1861, during a constitutional debate, we find him again expressing a similar opinion, and bringing in petitions tallying with his views. Those petitions enunciated the principle that though the measures of the government might be supported by a small numerical number in the House, yet when the people outside expressed different views, it was the duty of the Governor to interpose his prerogative, dissolve the House, and let the people be heard. That convinces me that Dr. Tupper's mind was imbued with the idea of the power which the people ought to pos-

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sess. In 1863 we find a similar expression of his opinions in this resolution: "that on the eve of a general election it would be as unwise as it was inoperative to pass the resolution now before us."

Here again he thought it was a sound principle to allow the people to decide for themselves. I might go through the letters and speeches of Messrs. McCully and Archibald, and show that they expressed the same desire to let the people rule, but I will not trouble the House with further remarks on that branch of the subject, and will come down to the action of the delegates in England in England. Here I may say it becomes necessary that there should be put on record the fact that when politicians undertake to tamper with the rights of a free people they must suffer, as the just consequences of their acts, disgrace, shame, ignominy, and consignment to private life. This view of the case should be put plainly forward.

We find after the delegates went to England something stated in the Queen's Speech, which no honest man in this Province will endorse: "that the delegates represented all parties and opinions in this Province." I think there is no man with hardihood enough to assert that Archibald and McCully led at that time the old Liberal party in this Province. It is true that years ago when the party lines were drawn they did lead the Liberal party to a certain extent, but they did not in England represent the opinions of that party. The Confederation scheme destroyed all party lines in this country, and when to-day I look around these benches and see Liberals and Conservatives joined hand in hand to free the country from the Confederation Act, I feel that all party ties are broken, and that the people have come together for a common protection. The statement therefore that the delegates represented all parties was untrue. If I am asked for further proof of my assertion, I point to the history of the Quebec scheme:—The delegates went to Quebec and prepared their scheme in secret,—they returned, and by the action of an honest Prince Edward Islander, the people became aware of its nature. As soon as the public got hold of it, meetings were held, the scheme was condemned, and Archibald and McCully were likewise condemned as the prominent men of their party. And yet after that they dared to go to England, and claim to represent the opinions of the old Liberal party in this country, and caused such a statement to be put in the Queen's Speech. It was patent to every one that the Quebec scheme was condemned as not being what the country wanted. I will next turn attention to what occurred in the House of Commons, and with all respect for that body that it deserves, with no desire to use a harsh expression concerning any man, I must say there is a responsibility resting upon every one of us to call things by their proper names, and to speak our true feelings. We look at what took place in the British Parliament, and stand aghast at the statements made and means used to pass this Act. Does any man pretend to say that there the truth prevailed, or that our delegates discharged their duties faithfully? Who was Dr. Tupper? Was he

not as it were our sentinel—the representative of our Government, bound by the ties of duty to speak the truth, nay sir, to speak the whole truth and *nothing but the truth*? What, then, was the truth which he was called upon to state? In the discussion in the House of Commons the fact came out that the question had not been submitted to the people at the polls. Mr. Bright enunciated the principle that before so material a change in the constitution could be made, tearing up our old constitutions and forming new ones, the people should in justice be consulted. That announcement struck the ear of Mr. Watkin, who was supporting the measure, as requiring an answer, and although he was trying to press the bill through at all hazards, caring little for us and much for Canada, he thought it necessary to consult Dr. Tupper about the facts. Dr. Tupper's statement of the matter at Truro was something to this effect; "Mr. Watkin left his seat, came over and spoke to me, we went aside and conversed, &c." It is plain that Mr. Watkin desired to know whether the measure had ever been before the people or not, and he should have had a prompt and candid reply. According to Dr. Tupper's own statement, Mr. Watkin got from him an answer, and it is not pretended that Watkin even conversed with any other person on the subject at that time except Dr. Tupper. After consultation, he returned to his seat, and made a statement which we all know to be untrue.

The SPEAKER suggested that it would be better not to discuss the proceedings in another Parliament.

Mr. PURDY continued.—The answer which Mr. Watkin gave is on record, and any man can read it for himself. I shall be clearly in order in saying that Dr. Tupper should have been there as the guardian of our rights and interests, bearing our commission, and in the discharge of his duties if he heard a man state an *untruth* he should have corrected that untruth—he should have stated that the question *never* was submitted to the people at the polls.

(The usual hour for recess having arrived, the House adjourned and resumed at three o'clock, when the debate was resumed, and Mr. Purdy continued.)—It has been contended that Dr. Tupper's answer to Mr. Watkin was based on a lecture delivered in St. John by the former; that lecture, then, has some prominence on this question. I cannot say what its contents were, for it was never published or circulated in this Province. I find, however, in referring to the *Colonist* of that period, some extracts from the press of New Brunswick which show pretty well what the views entertained there on the subject were. The *Colonist*, which was the exponent of Dr. Tupper's opinions, copied this extract from the *St. John Morning News*:—

"The lecturer was a fair type of the displeased or disappointed Conservative. It was evident, from the moment he stepped off neutral political ground, that it was his intention to have a dash at somebody; and if he could not succeed in the tournament to unhorse his adversaries, indulging in certain foolish political notions of their own, he would at least be able to shiver a lance over the backs of his audience,—let people know at all events what he thought of demagogues, governors, and colonial slavery." The burthen



of the lecture implied that responsible government was a delusion; that governors have too much power; that colonists were tied hand and foot to the chariot wheels of Downing street; that our statesmen were nobodies; that beyond the limits of their respective provinces they were unknown; that England snubbed us at every turn, and when she had a treaty to make with a foreign power the colonies were regarded with contempt, and their territories and fishing privileges taken away from them."

I will not weary the House with lengthy extracts, but I wish to direct attention briefly to the circumstances surrounding the political questions of that day, for I believe that such a view will show the justice of the remarks which I have quoted. Dr. Tupper was fresh from a constitutional debate in which he imagined that the grievances were entirely on his side. I deny that at that time he had within his brain any practical idea about the Union of the Colonies, and if I am asked for the proof, I reply that immediately after delivering the lecture alluded to, he delivered a lecture to another audience in Portland, (St. John), not on a confederated Union of the Provinces as a whole, but on a legislative Union of the Maritime Provinces only. If he were consistent in the one lecture he was not in the other, and thus the remarks of the *News* are justified. It may seem out of place to refer to this matter, but it should be remembered that on these lectures has been based the argument that the people at the polls had taken the subject into consideration, which is not true. Much has been said on the constitutional branch of the argument, but as I am not a lawyer, I cannot be expected to deal very fully with it. I would however direct the attention of that great constitutional lawyer the leader of the opposition, to the remarks of Mr. Adderley, in the House of Commons. Referring to an Act passed in the previous session, he said:

"In 1861 Nova Scotia took the lead in promoting the scheme of union, and was the first to propose that delegates should be sent to this country, to confer on the subject with the then Colonial Minister the Duke of Newcastle who promised that, if the desire of the colonies for the union were clearly made out, the proposition would be taken into careful consideration by this country. He mentioned this circumstance, because it had been recently asserted that the Government at home had pressed this matter on reluctant colonies. In consequence of the Duke of Newcastle's reply to the proposal of the Legislature of Nova Scotia, that colony, together with the other maritime provinces, proposed at the end of 1864 to hold a conference, and then for the first time Canada came forward, asking to be permitted to form part of the conference. It was material that that fact should be borne in mind, because it had been stated that Canada had, for its own local purpose, urged the measure on the smaller provinces. It had been said that the difficulties of Canada had been the cause of the proposal for the union. It certainly was true that at that moment Canada had constitutional difficulties to contend with; but they were no more the cause of the proposition for the union of the provinces than the divorce of Henry VIII was the cause of the Reformation, though they might have been acts which precipitated what all desired."

I take it for granted that Mr. Adderley had in his mind the fact that the Colony had representative institutions, and therefore concluded that its people had a right to be consulted before their constitution was broken down. Some persons think that we had no right to discuss the propriety of the Union Act, but that we must take just whatever the

British Government may choose to give us. With all due deference to the wisdom and forethought of the statesmen who were engaged in the passage of the Act, I submit that we should be allowed to express an opinion upon the Act itself, and upon its details. I could refer back to show that the policy of the British Government has not always been the best, and that they have made mistakes which they afterwards admitted. For example their policy towards the thirteen Colonies was not a wise one. Referring to the Confederation Act, I find in the clause respecting the Intercolonial Railway, something which goes to prove that the delegates exceeded their authority under the resolution of our legislature. This clause appears in the Act as the consideration in a bond, and is as follows:—

"Inasmuch as the Provinces of Canada, Nova Scotia and New Brunswick have joined in a Declaration that the construction of the Intercolonial Railway is essential to the consolidation of the Union of British North America, and to the ascent thereto of Nova Scotia and New Brunswick, and have consequently agreed that provision should be made for its immediate construction by the Government of Canada: Therefore, in order to give effect to that agreement, it shall be the duty of the Government and Parliament of Canada to provide for the commencement, within six months after the Union, of a railway connecting the River St. Lawrence with the city of Halifax in Nova Scotia, and for the construction thereof without intermission, and the completion thereof, with all practicable speed."

It would appear from that that the delegates accepted the terms which they got in consideration of the railway, and if we leave that clause out the inference is that their assent would not have been given. No person authorized the delegates to make the railway the consideration for Union—before they did so some one must have had the right to be consulted, and the question is who should it have been? I answer that in my belief the people, whose destinies were in the hands of these men, whose interests for weal or for woe were to be affected, should have had an opportunity of adjudicating on the whole matter. But it is urged by many that because certain leading men were in favor of Confederation, therefore there was necessity for consulting the people. With all respect for the learning and discretion of the members of the learned professions who favor Union, I take it for granted that they can hardly claim to be able to judge of what our farming interests require, so well as the 48,000 farmers, head of families, do know what is likely to affect their interests as well as doctors and lawyers. Again, would you exclude the 16,000 mechanics of this Province, the merchants, and all those who represent the industry, trade and commerce of the country from saying what affects their interests? Would you take from our 15,000 fishermen the right to have their voice in a matter so deeply affecting their welfare? Must the rights of all these classes be disposed of upon the *ipse dixit* of a few individuals, however learned and intelligent they may be? Responsibility in this matter must attach to somebody, and who was it that prevented the people from being consulted? Who were the men who were bold enough to take hold of the constitution and stifle the voice of the

chose to give us. The wisdom and who were engaged, I submit that press an opinion on its details. I that the policy of not always been made mistakes ted. For exam- thirteen Colonies g to the Confes- cause respecting something which legates exceeded resolution of our pears in the Act- and is as fol-

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that the dele- which they got in and if we leave is that their as- ven. No person make the railway before they did the right to be who should it in my belief the in the hands of for real or for ld have had an g on the whole many that be- ere in favor of re was necessity With all respect ion of the mem- ons who favor ld that they can edge of what our as well as the 48- ilities, do know interests as well gain, would you be of this Prova- those who repre- commerce of the affects their in- from our 15,000 their voice in a their welfare? ases be disposed few individuals, ent they may be? must attach to at prevented the? Who were the? to take hold of the voice of the

electors of this country? Bold men they must have been who usurped the functions of every man in the Province. They were the men who advocated the principle of going to the polls with every important measure,—some of them had placed on record that resolution declaring that no change should take place even in the Legislative Council without the people being consulted. When they undertook to undermine the constitution, to usurp the rights and stifle the voice of Nova Scotia, they should have shrunk from the responsibility, and asked themselves "are we the men to seize upon the liberties of the people after all the pledges we have given, turn reserant to the trust reposed in, and prevent them from being heard at the polls?" I have asked "who are the men?" I mention first the name of Dr. Tupper, not because it gives me any great pleasure to do so, but because I hold him responsible in the first degree. Being the leader of the Government, he, of all other men, should not have been guilty of this arbitrary exercise of authority. If it is asked how he came to be in power I answer that when the delegates to Charlottetown had got permission of the Governor General to go to Quebec, there to arrange the terms of Union, he, as leader of the Government, should have said "no, the people have never been consulted, and I will not go unless it is understood fairly that the people will be heard before the matter is decided on." Again, he went voluntarily to England on the delegation,—could he not then have said to the House of Assembly, "I will accept the introduction which the resolution of this Legislature will give me, but a clause must be put in which will bring the matter back to the people at the polls." Nor is that all,—when he went to England and decided on the scheme, even supposing he considered it a good one, he should have considered the rights of the people, and made a provision in the Act by which they would have been consulted. And, coming down to a late stage, if the truth had been told by Mr. Watkin in the House of Commons in answer to Mr. Bright's remarks, the operations of the Act would have been suspended until it came back for ratification. Where is the authority for such a course? has been asked.

The Leader of the Opposition refers us to the Corn Laws, the Emancipation Laws, and the Reform Bills. Perhaps his reasoning upon this point may be sound, but it struck me as being a piece of special pleading to say that because the British Parliament passed measures like those, it could pass an act like that which brought about Confederation, destroying our Constitution and affecting every interest of the country. True, those enactments altered, to some extent, the representation of the country, but the highmindedness and honor of British statesmen called upon them to deliver a portion of their people from injustice. Englishmen have ever been jealous of their rights, and so are we. After those measures had been passed the Parliament still remained; it could have repealed them and restored matters to their old condition. This Confederation Act, on the contrary, takes from us the power of altering the laws to suit our Province.

Coming down to a later date we have had cited as a precedent the union of Cape Breton. Now we know that if a witness is put into the box he is considered guilty of perjury if he fails to tell the whole truth. The leader of the Opposition, when he quoted that precedent, should have told us fairly that Cape Breton had no Legislative Assembly. Again the union of the Canadas was effected after the rebellion there, and when commissioners were exercising military authority. Surely these instances bear no comparison to our case: we were in peace and prosperity, legislating according to our constitution, with no sign of quarrel or rebellion. Precedents upon our side of the question have been cited in numbers, the case of the other colonies, New Brunswick, Prince Edward Island and Newfoundland being proof of the way in which our people would have been treated if the Legislature had acted fairly. I think, however, that the challenge to cite precedents came from the wrong quarter—precedents should come from those who seek to justify the charge that has been made. We asked no change, and those who urged it should be prepared with precedents to establish their authority for what they did. It is hard to find cases exactly in point, for in the history of no country possessing representative institutions has there been such an attempt to subvert the constitution. Precedents which do not apply to the condition of affairs established when the principle of Responsible Government were conceded are not in point, because the Imperial Government, having granted us certain privileges, will not revoke them. It has been clearly shewn that important measures have from time to time been submitted to the decision of the people at the polls, and surely that is the course which should have been followed in this instance. It may be considered out of place for me, a layman, to refer to any legal point, but I have found one reference which seems to me to be applicable to this question. In 1825 the British Parliament passed an Act, chap. 114, containing a clause worded in such a way that it will not be denied that thereby some rights were conceded to us, and if that be the case the Union Act cannot be successfully defended as constitutional. It has not inaptly been said that this Union Act was good for those who advocated it. Perhaps if we search all the records of history we cannot find a measure which holds out so many rewards for its friends. The system of increased salaries and multiplication of offices was one of the most objectionable features of the scheme, next to that which destroyed our powers of legislation. I need not dwell at great length on the loss which Nova Scotia will experience by the change,—we lose our public works of nearly every description, and although we go into the Confederation with nearly an equal debt, yet there is in point of fact no comparison between the debt of the Canadas and of Nova Scotia, for ours does not represent a dollar of deficiency, while that of Canada represents twenty-two millions of revenue deficit.

I will now briefly allude to the operation of this Act since the 1st of July. One of the main arguments of those who supported

Union principles, was, that although our representation was small, yet our power and influence would be equal to that which controlled the former Canadian Government, and would, therefore, be equal to our wants. But when we look at the history of the Dominion Parliament we see how inadequate that representation has been found. We see that our rights have been disregarded, an injurious tariff has been enacted, and our representatives, even when aided by those of New Brunswick, were powerless to effect any change when the members from Upper and Lower Canada combined against them. Look, again, at the policy of that Parliament respecting our coal. When we asked for a small duty on American coal, we were told that for the Canadians to tax themselves for our benefit would be preposterous. One great characteristic of our Government has always been economy,—we incurred no debt beyond what was necessary for our public works, and presented a fair example of the benefits of representative institutions; but the policy of the Union Act is to create a large and expensive Government, with extravagance prevailing in every branch of the public service. The Legislative Assembly of Canada had more clerks and pages than members, and so on throughout the other Departments. Some remarks were made to the effect that if Repeal was obtained it would injure the prospects of the railway to New Brunswick. I will not detain the House further than to mention the bare facts of the case: that the railway can be built without Confederation and without an increased tariff, is surely too plain to require discussion. The branch from Truro to Amherst was put under contract some two or three years ago, and as our revenues were then considered sufficient to meet the subsidy, I take it that I need not labor the argument. The Annapolis road is to be built by subsidy, and the trunk line would be far more advantageous to a Company who would undertake it. But a still stranger fact is, that so late as June last, within the time that Confederation was to take effect, a Company actually did make an offer to build the road on the terms of the old contract. I have no doubt, therefore, that the road can be built as soon as New Brunswick is ready to connect with us, provided our financial affairs are restored to their former condition. We have always been ready to connect with New Brunswick and Canada, and the fault has lain with them, by not performing their part of the agreement.

In bringing my observations to a close, I wish to make a few remarks on the election of 1887. It has been said by some that the question of Confederation did not enter largely into the consideration of the people at that election. I think that the facts are too plain to require much discussion; if we are to judge by the amount of government influence used to defeat the anti-confederate party, we have a pretty good guide as to the struggle which the friends of union made to carry their principles. False arguments innumerable had to be met; the people were told that we were not going to have the Canadian tariff, and it has turned out that the only alteration has been in lowering the duty on liquors and raising that on the necessities of

life. In referring to the influences brought to bear in Cumberland, it may not be amiss for me to state how it was that two unionists should have been elected there. I undertake to declare that but for the government influences and the unfair means of every kind used, the unionists would have been swept off the board. What was the position of affairs in Cumberland? I declared for repeal, and that is the policy which the county favours this day, although Dr. Tupper secured a seat, and also a gentleman who sits here. I had not wealth or influence in my favor; the votes which were given for me were given voluntarily, while in favor of our opponents means such as were never before practised on any people were brought into operation. The same may be said of other counties. The road moneys have been laid under contribution without the authority of the House; salaries were increased in the same way, and other shameful devices practised to secure support. The hon. leader of the opposition is a confederate, and I may fairly ask how it is that Inverness sends a man to occupy the position? I find that in that county only 800 votes out of 2000 were polled for union; and, without going into a discussion which will come on more properly hereafter, I may say that Inverness, like Cumberland, is anti-confederate at heart. The leader of the opposition has complained a good deal of being obliged alone to combat the arguments of so many gentlemen on this side of the question. He has himself to blame for his position, and is therefore entitled to no sympathy. When I heard his complaints the other day, I was reminded of one we read of who called for a drop of water to cool his parched tongue; the hon. member may weep and wail and bemoan himself, but the fault is his own. The rights of the people have been trampled on, and any one who goes to his succor and support must take his life in his hand as he crosses the gulf of public opinion. Every man here has a solemn duty to discharge, and I trust that duty will be faithfully done. What are we here for today? To obtain the repeal of the Union Act so far as it affects us, to assert the rights of the people, and to demand the privileges which the British constitution extends to us. When the vote is taken, these duties will be discharged in a way that will do honour to the House and to the country. Let me say, finally, that whatever decision may be arrived at, the result affects not only us but every British colony. Hereafter, whenever the privileges of any people are invaded, the precedent of the violation of our constitution will be urged; and therefore it is to the interest of all the colonies to assist us in our struggle for repeal.

Mr. DOUGLASS said: Mr. Speaker, at this late hour, I will not detain the House by any lengthened observations of mine. In the name of the people which I have the honor to represent, I repudiate the British North America Act as unconstitutional and oppressive, and calculated to reduce the people of this once happy province to a state of servitude and degradation. With these few remarks, I shall support the resolutions laid on the table by the hon. Attorney General.

WEDNESDAY, Feby. 19, 1868.

The House met at 3 o'clock, p. m.

MISCELLANEOUS.

HON. ATTY. GENERAL presented a petition from a number of Indians of the Bras d'Or Lake, praying for relief.

HON. MR. ROBERTSON, as chairman of the committee on the Inverness election, asked leave for the committee to adjourn to Monday next at 11 o'clock. Leave granted.

MR. NORTHUP presented a petition from John Goose and others for money to expend on a road.

HON. MR. FLYNN presented a petition for a grant of money to build a bridge.

MR. NORTHUP presented a petition from John White and others, of Musquodoboit, for a grant of money; also, a petition from Preston in reference to the school law. The latter was referred to the Committee on Education.

MR. WHITE presented a petition against any material alteration of the school law.

MR. KIRSTON presented a number of petitions for grants of money on roads and bridges.

MR. YOUNG presented a petition in reference to the ferry between Windsor and Hantsport.

MR. MORRISON presented a petition from Geo. Leister and others for money to build a bridge over Salmon River; also, a petition for a railway station at Salmon River.

HON. MR. ROBERTSON laid on the table information asked for in reference to the Hospital for the Insane.

The adjourned debate was resumed.

MR. COPELAND'S SPEECH.

MR. COPELAND said:—Mr. Speaker, with your permission I rise to offer a few remarks upon the great question of Confederation, now before the House. But as the gentlemen around these benches have so fully and ably discussed the question already, I will not at this late period of the debate occupy much of your time.

I have the honor of being one of the representatives of the second most populous county in the Province, and if your take into consideration its vast mineral resources, I believe the first county in the Province, and as representing such a county I do not think I would be doing justice to myself or those who sent me were I to give a silent vote, I desire therefore in a few words to express my hostility to the British North America Act, also to the fraud, deceit and treachery by which it was carried.

I believe, sir, that such an Act as the British North America Act, affecting as it does the interest of the people so materially—such an overturn of their constitution—should have been referred to the people at the polls; and the parties who so systematically prevented the people from passing on it, committed a very grievous injury on the people of this Province, and perpetrated an act which will forever hand their names down to posterity as men who have wantonly trampled upon the rights and liberties of a free people. And I believe there was too much honesty and

sense of fair play in the British Parliament to pass such an Act if they had not been deceived by the delegates, and made to believe that the people of Nova Scotia were in favor of it.

But, sir, when an opportunity was at last presented to the people they arose in the majesty of their strength, and have declared in a voice of thunder that they abhor the British North America Act—the fraud by which it was carried, and the treachery of the men who perpetrated the deed.

Nova Scotia is small in extent, but rich in resources; why, sir, just but glance at her fisheries, her vast mineral wealth, her gold, her iron, her coal, her shipping, her mercantile capabilities, and her near proximity to Europe; and I think, sir, that you will agree with me that Nova Scotia is the most important part of North America in proportion to its size.

Sir, I am a Nova Scotian, possessing, I trust, all the feelings of a Briton. I am proud of my native country—proud of the mighty Empire of which we form a part, and loyal to my Queen and Sovereign. But, sir, I will never submit willingly to have my rights and liberties swept away, and handed over to the tender mercies of the Canadians, to be nothing better than "hewers of wood and drawers of water" for them. Sir, I feel that my countrymen possess the same feelings with regard to this matter, that I do myself, and that nothing but force and coercion will cause them to submit to the B. N. A. Act, and that they will embrace the very first opportunity of getting free from it. I shall therefore most heartily give my vote for the resolutions submitted by the Hon. Attorney General, knowing that in doing so, I am not only fulfilling the desires of my own constituents, but expressing the views of the people of the whole Province; and with a firm belief that the British Parliament will, on the facts being made known to them, grant the people of Nova Scotia what they desire, and without which nothing else will satisfy them, that is a repeal of the B. N. A. Act, in so far as it refers to Nova Scotia.

MR. WHITE'S SPEECH.

MR. WHITE said:—So much has been advanced on this question that it is with the greatest embarrassment that I rise to address the House. To give a silent vote on the resolutions, however, would not be congenial to my feelings or consistent with the duty I owe the people of the important county who have honored me with the trust I have undertaken. Not only has a great deal been said on this subject, but much has been so ably said that my embarrassment arises not so much from what I should say as from what I should leave unsaid. Promising not to occupy the time of the House at any length, I will advert to one or two matters which occupy my mind in connection with the history of Confederation. We all know something of the history of Canada, and a glance at that history shows that she has been laboring under serious disadvantages for thirty years past—disadvantages partly entailed by her system of representation,

which was established with the treaty of peace which followed the rebellion. That treaty would not have been acceded to by Upper Canada unless the representation had been framed according to her wishes. Lower Canada having then the largest population. The result was that equal representation was made the basis of the treaty. This gave rise to nearly all the difficulties which Canada has since had to encounter. Not very long ago we saw a Government formed there which lasted but two or three days, owing to the equal system of representation. This difficulty led to the conception of the present scheme, the basis of which is representation by population. It is true that the Canadian politicians had also an eye to the revenues, but their main object was to remedy the political difficulties which their system of representation entailed. This may have suited Canadian policy, but in common with those who have preceded me in this debate I protest against it as far as Nova Scotia is concerned. I was struck with the argument of the hon. member for Inverness the other day, when, in support of the constitutionality of the measure, he instanced the repeal of the Corn Laws and the Emancipation of the Catholics in England. Every one knows that the members of the British House of Commons received instructions time and again on these questions from their constituents. The Catholic Emancipation Act, it must also be remembered, only extended the privileges of the people; it did not restrict them. It aimed a blow at the prejudices of the age, but not at the constitution itself. It did not transfer to another country the revenues of Great Britain, nor did it extinguish the Lords and Commons, and that instance is therefore not at all analogous. The mode of passing Confederation has been much commented on, and very properly so, for even if the measure were good, the manner in which it was passed would have been reprehensible. So was the conduct of some of its supporters. I will not travel out of my own county to illustrate this, but will refer to an address delivered in 1865 by Mr. Bourinot, my predecessor in this House. After an earnest remonstrance against that measure, he concluded by saying:—

"Now that the people should be told that they were to have nothing to do with deciding so important a question as changing the constitution of the country, but that the House could deal with it irrespective of the wishes of those they represented, was something most preposterous to propound in a country like this, enjoying the principles of Responsible Government—where the people are the fountain of all authority. The Provincial Secretary must have known that the House was elected under our existing constitution, and could not change it without consulting those that elected them. Yet the Provincial Secretary was quite ready to strike down all existing rights and privileges enjoyed by this people, in order that he might march on to Ottawa. But far and wide the spirit of the people asserted itself. Little by little a feeling arose which spread over the length and breadth of this Province, and showed the Government that they must pause in their rash career. In my own county at first much indifference was felt on this question, but as the discussion proceeded a strong feeling of dissatisfaction at the scheme exhibited itself among all classes of the people."

These were that gentleman's views in 1865, and I here assert that his constituency ap-

proved them, and yet I find that in 1866 he voted for the measure. Had any change occurred in the meantime? I contend that nothing occurred which should have materially altered his views. He delivered a speech in 1867, and by way of explaining his vote said:

"The reasons for my opposition to the Quebec scheme are known to many of my friends, and as I have stated them at large to the house, I need not refer to them again, excepting to say that I support the measure from conviction. My mind was not influenced by any freak of a moment, or by any desire for office. It is well known that I never held office, and that I do not desire any either under the general or local government. In the opinion of some gentlemen every man does wrong who does not strictly conform to their views; but I can fully justify the course I have taken. When I came to the session last year there were many conflicting reasons operating in my mind and I was not fully determined as to whether I should support or oppose Union. In the first place I found on reading attentively that the opinions of the most intelligent men in England were favourable to Confederation; then I saw that the organs of the various religious denominations were likewise favorable, and that the proposition had received the support of the leading men of every political creed.—Everywhere evidence was to be found that the wish of the Imperial Government was to see Union consummated; then came the Fenian excitement, and the abrogation of the Reciprocity Treaty; and, at length, when our own territory was menaced, I felt that the moment had arrived when a true and patriotic lover of his country should decide. I then came to the conclusion that I should support Confederation, in order that we might be prepared to meet the emergencies which were approaching. I gave the proposition my support, however, with the understanding that the Quebec scheme should undergo modification."

Perhaps I am hardly justified in saying that this was an eye opener to Mr. Bourinot—that the mists cleared away as soon as he discovered that there was room for him in the Senate, but I cannot help saying that he exhibited a total want of that patriotism which he so glibly talked about. Patriot is hardly the word to apply to him. Sir, if this be patriotism, our lexicographers should revise their works and find some term or combination of words better fitted to convey to the mind—love of country, and devotion to our country's interests. Sir, I can scarcely trust myself to dwell upon the conduct of those who have been instrumental in consummating this measure of Confederation. Suffice it that these records (Debates of House of Assembly, 1864 to 1867) abound with the tergiversations of those of whom the people of this country did hope better things.

I turn now from all the inconsistencies which that record illustrates to a subject which has not been touched on by those who preceded me. I refer to the address to Genl. Williams, which was got up for the purpose of whitewashing some individuals. I was much struck with the view taken of that address by some of the Confederate organs; it was taken not merely as an expression of loyalty to the Queen through the Governor, but as announcing to the English people that the people of Nova Scotia were in favor of Confederation, and a clause to carry out that view was inserted in it. When we reflect upon the means by which that address obtained its signatures, it loses its effect, and should do so. When introduced to my county, it was sneakily taken around, and people



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were asked to sign it hurriedly, and did so, being told that it was merely an address of loyalty to the Queen, and had no political significance. Many who signed it were astonished to find afterwards that it contained a clause designed to make Confederation appear popular. If in other counties that address was signed as it was in Cape Breton, I deny that it was any compliment to General Williams. Its being signed in that county was not, I must repeat, intended as an expression of agreement with the policy of those who carried Confederation. In conclusion, I may say, Mr. Speaker, that I have an abiding faith in the generosity of the British Parliament, and believe that, without doubt, this repeal will be granted. The attention of the British people has been so much turned, within a year or two, to the condition of Ireland, that the Imperial Government will hesitate, I feel certain, before refusing an application like this. I, for one, am content to await the result. My remarks, I fear sir, have been somewhat desultory and void of that eloquence which characterised a debate on a similar subject in England some years ago; but, sir, however weak I may be in reproaching this thing and its promoters, my weakness may be to some extent compensated for, by my sincerity in the cause of Repeal.

#### MR. BLANCHARD'S SPEECH.

MR. BLANCHARD said:—It was understood, Mr. Speaker, that this afternoon should be devoted to giving me an opportunity to review the numerous speeches made on the subject under debate, and I feel that it never has been, and I trust it never will be again, the lot of any man in Nova Scotia to be placed in my position. However indifferently I may be able to discharge the duties which devolve upon me, and however small may be the abilities which I can bring to bear, yet I feel that it is well that there is some little difference of sentiment here. If it were otherwise the employment of the House would be short, and little or no interest would centre in this debate. I find myself now called upon to reply to about twenty-nine speeches, delivered by gentlemen on the government side of the House. It was said last evening that some of those gentlemen should have the reply, because I might take the whole twenty-nine and lacerate them, but I have no idea of doing anything of the kind. On the contrary, I will say that such an array of eloquence and talent as has delighted the House for more than a week never occurred in a Provincial legislature before. We have seen coming to the fore and delivering lengthy addresses men who, one would have supposed, would hardly have occupied as much time as the last speaker. Talk of lawyers, sir, they cannot compare with some of the farmers and merchants who have been addressing us. Some gentlemen who, before the last election, had hardly ever made a speech except in a village debating club, have delighted the House for two mortal hours at a stretch, with language, it is true, that is somewhat unusual, but with power! eloquence!! and wisdom!!! Such as I must congratulate the country on possessing.

Talk of the talent of the House being lessened since the Union Act came into force! Why if we measure the talent of hon. gentlemen by the number of their words, and their ability by the force of their language, nothing to be compared with this debate has ever occurred before. I sat here in the days when we thought we had intellectual giants among us—when Mr. Johnston on the one side led an array of talent that was of no ordinary character, and when Mr. Howe and Mr. Young, on the other side, were sustained by a fair share of talent and ability; but all the debates of those days were as nothing when compared with these twenty-nine speeches all in a row, suggesting to the memory the nursery rhyme about some other things in a row. I intend to go into the subject with good temper, because whenever I have, on other occasions, ventured to indulge in a little retort, by way of satire, on gentlemen who had attacked me, I got a dressing such as no ordinary man would submit to, but I promise two or three gentlemen that before I am done I will return the compliment. If I should omit to refer particularly to any gentleman, I trust he will pardon, and take to himself the remarks I make to his friends.

In the first place, however, I wish to take a broad view of some of the features of the debate. We had a good deal of constitutional argument, and I regret that when I closed my first speech the Attorney General was not allowed then and there, as he wished to do, to reply to my remarks upon that head, for that would have given me an opportunity of commenting upon his observations. I feel that it will be manifest that in the course of his argument he either misrepresented the issues of the question or he was not aware of the facts. We were told that this country had a charter—an inviolate charter, but I ask the Attorney General to meet the argument which I advanced: that if such a charter were given by George II. it has been violated over and over again until there is not a ray of it left—violated in every conceivable manner—torn into ribbons ten thousand times. I will give book and page in proof of my assertion: in Murdock's History, vol. 2 page 332, it is recorded that by proclamation George III., with the advice of his Privy Council, annexed the Islands of Prince Edward and Cape Breton to Nova Scotia. Again we find the Governor and Council of this Province altering the representation in the legislature and the franchise. What became of the immaculate charter then? In 1769 Prince Edward Island was made a separate Province by the act of the King and Council—the same power separating the Island which had annexed. But going down to 1784, what do we find the condition of the country to have been? Nova Scotia, New Brunswick, Prince Edward Island and Cape Breton were one country, under one Government and Legislature. In 1784 New Brunswick was cut off from Nova Scotia by the Act of the Crown. In 1784 Cape Breton also was made separate; in 1820 that Island was restored to this Province. When I addressed the House before, I was under the impression that Cape Breton was annexed by Act of Parliament, but on careful examination I find I was mistaken,



for the union was effected by order of the King and Council; that, however, does not affect the argument. Where, then, was the charter that could not be broken? It was maintained by the Attorney General that the King and Council could not touch the charter—that it was irrevocable and must forever remain so; and yet in 1820 the King and Council annexed Cape Breton by their own act. Let any gentleman refer to the Journals of 1844, and he will find there that a special session of this House took place in the month of July, when the whole matter of the annexation of the Island was brought up by orders of the Secretary of State for the Colonies, who wished delegates to be sent home to meet the representatives of Cape Breton when they went before the Privy Council. A petition had been sent to England from 2000 persons asking for repeal, and urging the unconstitutionality of the decree on the same grounds as those taken in this debate. If there is any strength in the argument now, how much greater ought its force to have been then, when the system of Government was swept away without the voice of the people or their representatives being heard. There was no House of Assembly or Legislature that could be repealed to. We have heard a good deal about the strong feeling pervading the country now, but I have been often told by men who were well acquainted with the state of the Island in 1820 that the feeling then was infinitely stronger. £1000 sterling was subscribed by a small population to send home delegates and engage counsel in England. The Privy Council then desired this Legislature to send an agent before them—not to discuss the propriety or judiciousness of annexing Cape Breton to Nova Scotia, because that branch of the argument was expressly excluded, but to discuss the *constitutionality of the Act*. Our Legislature declined to send agents, yet the question was elaborately discussed before that tribunal, in whose integrity the public had the most implicit faith, and within whose doors the breath of suspicion never entered. Did the Privy Council decide that the union was *unconstitutional*, and repeal their decree? No; but they sent back something like this message to the people of Cape Breton: "you have been united by the Act of the King and Council, and united you must remain." United they have remained (fortunately for themselves, and it did take many years for the great feeling about repeal to dwindle out of existence.

Having said this much in reference to the charter, and having, as I think, shown that the acts of the King and Council have been universally recognized as controlling our affairs and annexing separate Legislatures, I think I have made a point which cannot easily be overcome. I will admit the truth of the proposition, that as the country progresses and the Government becomes more liberal and democratic, the Legislature should be consulted on subjects of this kind, but I cannot understand the allusions which some gentlemen have made to despatches which state that the Parliaments of the Provinces should be consulted. Those despatches have been spoken of, as though they contemplated an

appeal to the people. As I said before it is a doctrine unknown to the British constitution that we must go beyond the representatives of the people and go to the people themselves for the declaration of their will. However desirable such a principle may be it is not British, it is American in its inception and history; it never formed a part of our constitution, and I trust it never will. I come now to refer to the observations made by various members in this debate, and I must say, with all due respect for those who constitute this House, that if they could but divest their minds of the heat and prejudice which operate on them, they would see the impropriety of much that has been said in this debate. We have had a good many hard words used in nearly all the speeches from that of the hon. member for Londonderry down to that of the hon. member for Plottou (Mr. Copeland) who spoke this afternoon. I have known the latter since I was a child, I am well aware that a more upright man Nova Scotia does not contain, and when I heard him in his quiet voice use the words "fraud, deceit, and treachery," I felt that he had not measured his language. So stereotyped have those phrases become, that at last it seems impossible to discuss this question without using them. I will endeavor not to retaliate for the strong language that has been used, but I cannot help saying that such expressions are seldom employed in reference to anybody present or absent, and I do feel that there are some who would hardly have ventured to use such language if those to whom they applied it were here. To whom did they apply those words? I have under my hand a speech and pamphlet by a man, who, above all others, earned and retained the respect of the Conservative party; and I ask the Conservatives of this House—the men who from childhood have been taught to look up to James W. Johnston, if they are prepared to apply the terms "traitor" and "treachery" to him? If that old gentleman were here, even at his time of life, I would like to see the man who would get up and talk about fraud, deceit and treachery, and apply the terms to him. I was long opposed to that hon. gentleman. I know how to admire talent and patriotism even in an opponent. I should like to see the Attorney General tell him that he was a traitor. As long ago as 1854 Mr. Johnston made one of the finest speeches ever delivered on the floors of Parliament, and not content with that, after the publication of the Quebec scheme, when asked to give that speech for general publication, he endorsed every word he had ever uttered on the subject.

I cannot forbear reading to the House one or two sentences containing so much eloquence and pregnant with so much instruction, that I hope, before we hear the words which I referred to again repeated gentlemen will reflect on whom they are casting aspersions. In Cape Breton, when a Highlander curses and swears he is said to use "bad English." We have had a good deal of "bad English" in this discussion, but as far as I am concerned this violent language passes by me as the idle wind, which I regard not.

said before it is a British constitution. I will read first, not his utterances in 1854, but in 1865. He said on the one hand:—

"Union under one government, giving to British subjects, in their confederate and growing strength, a nationality worthy of their origin, and a theatre of action such as national expansion demands; where, acknowledging the sovereignty, maintaining the institutions, cultivating and perpetuating the principles of the parent State, and putting forth the energies of freemen, they and their descendants may, under a gracious Providence, have the opportunity of rising to degrees of political influence, material prosperity, intellectual and literary attainments, religious, educational and moral progress, and refinement of taste and manners, which cannot be reached in small and contracted communities."

On the other hand is:—

"The perpetuation of the present isolated condition of the Province,—and rich as she is in material benefits, and prosperous within the limits which small communities may attain, yet few in numbers, weak in strength, unequal to the development of her own resources, unable to furnish to her sons professional education, or to retain at home her enterprising youth, she has little prospect for the future beyond a dwarfed existence and ultimate absorption into the neighboring Republic."

"One of these must be chosen—the other rejected. There is no other alternative. My sentiments, formed and publicly advocated through a quarter of a century, leave me no room for deliberation now. To an old man, individually, any decision is of small moment; but as a member of the community, in the exercise of my best judgment on a question of vital interest to all of us and those who come after, I dare not deny a national existence, with its privileges and duties, to my descendants and my countrymen."

"I therefore accept Confederation as a great benefit, whatever my tendencies in favor of Legislative Union, and though they were greater and more fixed than they are."

Sir, is that the language of a discontented politician? Is it the language of an ambitious man who wanted to get into a larger arena? No, but it is the language of a man of a ripe old age, removed beyond all political relations, and ornamenting the Judiciary in a very high degree. Does it become some men whom I could name to talk about traitors and treachery, and to stigmatize so strongly as they have done the friends of Union, and among them a man like that?

Now, let us consider when this discussion of Union commenced. Its origin was not in 1863 or 1864, or in the days when Mr. Howe brought it forward, but away back in 1814, long before Cape Breton was annexed,—and we then find that the late Chief Justice Sewell and the Duke of Kent took a decided interest in the question. From then until now the great minds of the country directed their attention to it. I have under my hand a letter on the subject, written by the Duke of Kent in which he speaks strongly in favor of the project. But passing over many beautiful and eloquent passages in the speech delivered by Mr. Johnston in 1854, let me read to you his concluding remarks. He said:—

"I cannot conclude, Mr. Chairman, without acknowledging how far short I feel I have fallen of the capacity of the subject—I will not say of its requirements, for the measure I have advocated needs little of argument or of eloquence. The principle on which it rests is so simple—so truthful—so practical—so acknowledged—that argument and eloquence seem superfluous."

"UNION IS BROTHERHOOD—reason, philosophy and experience declare, illustrate and confirm the truth. Religion and civilisation demand its aid."

"I uphold the sovereignty which God has given to man over creation, and is the basis on which rests all the agencies for fulfilling the Creator's designs for the amelioration of our race. Supported on this principle the question seems no longer open to debate, as soon as the practicability of Union is affirmed. And yet the subject affords ample scope for reasoning the most rigid and eloquence the most exciting. Hence at one moment the mind is embarrassed to find rapid objections to oppose—at another, oppressed by emotions difficult to utter."

"I trust and believe my deficiencies will be lost in the more perfect and able exposition the subject will receive from those around me, and that, graced by the aids of reasoning and eloquence, it will be placed in the light it ought to occupy before this Province, our sister Colonies, and the Empire."

"I offer no apology—or, if any be required, my interest as a Colonist, my duty as a citizen, my country's welfare and the well-being of our posterity, must plead my excuse for inviting this discussion. Called, in the Providence of God, to take part in the councils of my country, I have now fulfilled a duty I should have been ill satisfied to have left undone when my public career shall terminate."

This quotation, let it be remembered, is from one who was looked up to with reverence and respect as a gentleman of the highest personal character, and when I heard the words "traitor and treachery" applied to him by men who, in comparison with him, are the merest pigmies, I feel inclined to advise gentlemen to go and look at Judge Johnston's grey hairs, and when they think of him as a politician of forty years standing, the Conservatives of the House at least should be ashamed of the injustice which they have done him.

Hon. PROV. SECY.—Mr. Johnston did not vote for the measure.

Mr. BLANCHARD continued:—No he did not vote for it, but look at his language after the legislature had adopted it, both in the letter which I have quoted, and in his address to the Grand Jury at Truro and Amherst last summer. I think that after this some gentlemen would wish their language unsaid. But am I done when I have spoken of Mr. Johnston? No sir, many are the great names which I could cite as advocates of Union. I will not go into a discussion of Mr. Howe's inconsistency, except to say a few words. I will not say that Mr. Howe was the father of Union, because he was not. Mr. Johnston was the originator of the question here; but I am going to speak of one circumstance in connection with Mr. Howe, and to quote one sentence from a speech of his, and I will be content with that, because, as far as Mr. Howe is concerned, the subject has become hackneyed and tasteless. In 1857, after losing the control of the government, Mr. Howe said in reference to the Union of the Colonies: "If there was one question unsettled when I left the administration, in the discussion of which I desired to mingle, it was that (Union of the Colonies). When the hon. gentleman (Mr. Johnston) moved his resolution in 1854, I lent him all the aid in my power, and if it were debated again *gladly would I assist him.*" Now, sir, I ask the House, and especially the liberals who have been accustomed to look up to Mr. Howe, if it becomes them to talk about traitors and treason when Mr. Howe said that this was almost the only question which he had been unable to settle. Now I ask some of these gentlemen, and some

to the House one thing so much eloquent so much instructive hear the words repeated gentlemen are casting aspersions when a Highlander said to use "bad" a good deal of discussion, but as violent language and, which I regard

of the people outside, who have been talking blatantly about traitors, to consider Mr. Howe's definition of that word. He says: "I hold that the Queen's commission runs throughout this entire realm, that every constitutional mandate of Her Majesty her loyal subjects are bound to obey, and that he who attempts to thwart or oppose the policy of the Imperial Government is a disaffected and disloyal subject." Nor am I done when I show the House that the Equity Judge and Mr. Howe are men to whom the terms that have been used were applied? Standing as I do, almost alone, when I hear gentlemen talking as if I had forgotten the rights of the people, I am tempted to turn back and tell them who must at the same time have forgotten those rights. Let gentlemen consider whether they are prepared to apply these epithets to the Judges of this country presiding over the Supreme Court. If they are not they should remember that they have done so in applying them to others. If, sir, I stood alone in the country, as I stand almost alone here, I would still, I think, have enough manly feeling not to be put down, but to induce me to give expression to the sentiments which animate my breast. That, however, is not the case. The opprobrious terms which have been applied to the advocates of the measure, are not applied to me alone, but to men who are greatly my superiors: to the Judges, to Mr. Howe, to the men who preside over the various churches of the Province, to the overwhelming majority of the profession with which I am connected, to men of every class in the country who ought to know, as well as the farmers we have heard so much of, what is for the good of the country.

There are one or two questions of which I wish to speak before going into a reply of the various gentlemen who have addressed the House. We have had recently placed before the country a comparative statement of the amounts of duties received under the preceding and existing tariff by a gentleman of no ordinary ability. When some gentlemen get up and talk flippantly about the figures, as if the officer who published the statement knew nothing about them, I would ask them to pause. One gentleman said that Mr. Johnson had made a mistake in every entry, but he did not stay to reflect—perhaps he did not know, that in April 1866 the duties were largely altered. We had one set of duties to April and another to September, and which set was Mr. Johnson to take? If he took the old duties it would not be a fair statement at all, for his object was to show how much more would be collected under the Dominion tariff in 1867 than would have been collected under the tariff as it was on the 1st July, 1867. That is the answer to the array of figures presented by the hon. member for Kings. Even another gentleman, who took the trouble to publish a full statement in the paper this morning, has not ventured to adopt this view of the subject, but I would ask whether it was fair, under the circumstances, for the Provincial Secretary to bring down what is the same statement to all intents and purposes, and to publish it only a few hours before I was called upon to reply? Why did he

not take the hon. member for Kings and cram him for the task? The statement of the latter gentleman was altogether fallacious, inasmuch as he took the duties preceding April, while Mr. Johnson took the subsequent tariff. Again, that gentleman and those who have addressed the public through the newspapers, have entirely ignored one branch of the subject. Mr. Johnson calculated that there would be a change in the trade of the country in consequence of a large amount of goods imported from Canada free. Mr. Jones and Mr. Dickie entirely ignored this fact. Let me turn attention to some of the articles to which this remark applies. Mr. Johnson has deducted \$80000 for arms and ammunition, and why? Because there is a manufactory in Canada where they can be obtained as cheaply as they can be imported. Bacon and hams are also omitted, because Canada will give us as large and cheap a supply as can be obtained from the United States. So as to other articles of produce. Why, I ask, was this view of the case ignored? Why is it that no gentleman has considered the large quantity of dry goods hitherto paying duty, but which will now come in free? Among those articles:—felt and felt hat bodies, materials for hoop skirts, machine silk twist, prunella, silk twist for hats, boots and shoes, candle wick, straw plaits, Tuscan grass and fancy, &c. &c. All these articles paid ten per cent before, and are free now, and yet these gentlemen in their calculations insert thousands of dollars which should have been omitted. They have put down a large sum for India rubber manufactures, but who does not know that Canada can supply them as cheap, and indeed cheaper, than they can be had from abroad.

One word about printing paper, about the taxation of which a great deal of complaint has been made. I have taken the trouble to enquire about that matter, and what is the fact? For the last five or six years printing paper has been so high that it could not be imported from the United States, and the publishers have been obliged to import from Great Britain. But the price has now become so high there that a mineral substance has been used for adulteration, which has been found most injurious to the type. At this moment I undertake to say on good authority that an article infinitely superior can be got from Canada, free of duty, more cheaply than paper can be got from Great Britain, and at this moment there is an agent of one establishment here endeavoring to negotiate for a supply. I will not, however, dwell on this subject by going over the various articles to which similar remarks apply. I have made no calculation and do not intend to make one, but I desire the country to look at the various statements put forth, and to give them a fair examination. There are a hundred men in the Province more competent to examine this matter than any of us, and the truth can be easily arrived at if the change of importation is borne in mind. Passing to another topic, it has been declared in the amendment which I submitted, that in the present condition of this country it would have been necessary to increase the taxes to

or Kings and the statement together fellow duties present took the gentleman and the public were entirely ignorant. Mr. Johnston would be a change of consequence of reported from Canada. Dickie's attention to this remark deducted \$8000 and why? Bery in Canada as cheaply as and hams are a will give us as can be obtained. So as to other ask, was this by is it that no large quantity of duty, but Among those dies, materials twist, prunella, shoes, candle mass and fancy, per cent before, the gentlemen in and of dollars omitted. They r India rubber not know that cheap, and in- in be had from per, about the of complaint the trouble to and what is the years printing it could not be es, and the pub- to import from e has now be- neral substance on, which has to the type. At ay on good au- ly superior can of duty, more ot from Great here is an agent eavoring to ne- not, however, g over the var- remarks apply. d do not intend ountry to look t forth, and to n. There are a more competent any of us, and ved at if the borne in mind. as been declared omitted, that in ountry it would e the taxes to

discharge the public services without Confederation, and I now ask members to look at that matter. I will not make an elaborate calculation, but I ask the House to consider the facts set out in the resolution: that while our debt two or three years ago was but four or five millions, it now amounts to eight and a half millions, and, according to some, nine millions. If it be a fact that we were about having to provide interest on our additional debt of so large an amount, I ask where was the money to come from? \$240,000 was the smallest sum which must have been provided annually after the 1st of July for that purpose. Will any man tell us that we were able to take that sum from our annual revenue, and still provide as we had been doing for our roads and bridges and other services? It was impossible. "But," says the hon. member for Kings, "we had been growing at such a rate for the last ten years that if our progress were the same we could have met these liabilities." It is easy to look back and easy to prophecy, but if he had looked more carefully and gone to the proper authorities he would have found the fact standing out patent that the revenues of last year down to the present time were \$130,000 less than at the corresponding period of the previous year. This sum, added to the amount of interest which I stated, makes \$370,000 to be provided for. And yet we are told that before Confederation Nova Scotia was a happy country, and could carry on her public works without increasing the taxation. I could not help feeling amused at hearing one gentleman talk about Nova Scotia being economical, and keeping within her income. When we doubled our debt within five or six years, surely we should not talk about keeping within our income. I undertake to say at any rate that our debt is double what it was eight years ago, and yet it is said that Canada is a most extravagant country, while Nova Scotia is a tight little place that manages its affairs differently. When I said \$130,000 was the deficiency, I should have given the exact figures which are \$127,373.27 to 1st September last.

Before going into a reply to the speeches of the hon. member let me ask one or two questions. The resolutions laid on the table state boldly that our revenues are in such a condition that we are unable to meet the public requirements. Yet what did we hear stated the other day? That the accounts were in such a state of confusion that the Government, acknowledging themselves incompetent for the task of arranging them, were obliged to call in the assistance of three gentlemen from outside. Those accountants were put to work three or four months ago, and I ask why it is that, though the House has been three weeks in session, although the country has been looking for alarming disclosures about speculations on the part of the late Government, at this moment we are still without the result of their investigations. I am unable to account for it; perhaps the Government can,—but these Commissioners should at least have given a preliminary report. A committee of this House was appointed some time since to investigate the public accounts, but they have not held

one meeting up to this hour. If the statements made by the Government be true, why has not the proof been laid before us either by the report of the accountants or the report of our own committee? I can imagine a reason—it may be that when the report comes up it will be found that we have money enough and to spare. If this be not the case why are delegates to be sent home to say to the British Government that this country is not in a condition to carry on its public works at a time when we have no report from the Commissioners or from the Committee of this House? If the statement be true, it is within the power of the Government to prove it. If the accountants have not been able to exercise due diligence in their work who has been hindering them? Is the Government doing so? Have these gentlemen been supplied with the information necessary to the completion of the work? No, sir; to my knowledge information has not been applied for at the very quarters where it could be derived, and therefore the Government are not in a position to say what is the condition of our finances. When they put into the mouths of members, for the purpose of sending it to England, the statement that we are not able to carry on the public affairs, why did they not lay the proof on the table?

I come now to my reply to hon. members, and I find that the first gentleman who favored me with his notice was my hon. friend from Londonderry, who gave us his views of the constitutional law bearing on the subject. This is not the first occasion on which I have heard of the hon. member's constitutional law; he seemed to think once upon a time that no one but himself was a match for Mr. Johnston—no one would so readily approach the lion in his den, and catch him by the beard, as he. He told us once that he could make a better collection of Revised Statutes in a week than all the rest of us put together. How often have we listened in times gone by to the constitutional law which I, "the member for Colchester," proclaimed to the country. He used to say, in substance, "do not take your law from Johnston or Young; I, the great man from Colchester, will tell you what the law is, and let no one dare dispute it."

In that strain he used to address the House, and now, coming down from greater garrs, he has turned his artillery upon me, and has told the people that I knew nothing about constitutional law, and that I had a great deal of audacity to talk of it in his presence. He asks us to consider the precedents set in New Brunswick and Prince Edward Island, where an appeal was made to the electors. I did not say that there was to be no appeal to the people when the government could not carry on the affairs, but I said that when the government could carry its measures through the legislature, no man had ever heard of a dissolution being required. That was the state of affairs in New Brunswick when the question was mooted; the government disagreed on the subject, and there was no alternative but to appeal to the people in order to settle the question. But was there an appeal on this question in Prince Edward Island? Not at all; they had their election there at

the usual time, and so with Newfoundland. The hon. gentleman also complained that in speaking of some one who had asked the question "what then?" I was trying to prevent Nova Scotians from asking questions. Not at all; but on the contrary I wished him and every Nova Scotian to ask himself and his neighbors, and the leaders of this movement, "what then?" I ask that an answer to that question be given to me as a Nova Scotian, and to every man whom it interests in the country: If repeal is applied for, and refused, what then? I will not repeat what I heard an ex-member of this Legislature say in the lobby of the House this forenoon. If his sentiments were uttered within the purviews of London, he would be imprisoned within half an hour; but when gentlemen in private make such assertions, why not state their answer to the question boldly? I want the hon. member for Colchester to ask himself and his leaders "if repeal be refused, what then?" The hon. gentleman himself undertook to answer it, but with all the skill of a practical lawyer, he went round and round it without coming to the point. He says I may ask myself "what then?" when I think of facing the electors of Inverness. I have faced them three times already, with what result the House knows; but I will never forget the time when the hon. member for Colchester was with us before, and when, at the close of the last session of that House, some of us went down to bid each other good-bye, and after four years hard fighting, the question was asked "who will come back?" They thought there was no hope for me—never dreamed of seeing my face again; but we all thought that there could be no doubt about the return of that hon. gentleman with flying colours. How could any constituency resist that great constitutional lawyer? I did come back, however, and I ask where was he? Left at home. I therefore tell the hon. member, when he asks me how I shall face the electors of Inverness, that he had better look after Colchester. When my constituents do not want me, they will bid me good-bye, and dispense with my services. The hon. member also made some remark to the effect that any society of chimney sweeps would kick from their company the men who voted for Confederation.

Mr. MORRISON.—Hear hear.

Mr. BLANCHARD continued:—It would be more becoming to the hon. member to say shame, shame, for such language was hardly suitable to the dignity of the House and to his own position. He also spoke of some peoplespeaking of themselves as the almighty "we," but it was the almighty "I" with him. Things went wrong in Canada, he told us, because "there was no Tom Morrison there." He said further that Nova Scotia would never be loyal to Canada, and, in imitation of a celebrated orator, exclaimed "never! never! never!" I thought that that passage would have taken the House by storm, and that the country when it heard it would burst out in wild enthusiasm. Then he said that Mr. McGee was an "extirpated" rebel,—that surprised me a good deal for I thought that Mr. McGee had still an existence. I would like to speak with respect of every man, but when

members talk in that strain of Mr. McGee they should remember who he is and who they are. Where did I see that statesman within the last few years? On the platform of Temperance Hall, which was crowded with one of the finest audiences that it ever held, and there Mr. McGee kept the whole attention of that audience enchaind for two hours with eloquence such as is rarely heard on a platform. Whom did I there see delighting to do him honor? The Hon. Joseph Howe, who said at the close of the lecture to the orator of the evening, "go on, I am with you;" and Mr. Johnston and Dr. Tupper joined in these expressions of honor and encouragement. When we hear a man like that—the first orator in British America—spoken of as an expatriated rebel, it is enough to make one's blood boil. The hon. member for Colchester concluded his speech rather strangely; he said "if I had ten thousand voices I would shout repeal! repeal! repeal!" That was his peroration, and a magnificent one it was. I should like to ask the members who are in the habit of reading their bibles to recall to their minds the way in which Joshua directed that the walls of Jericho were to be knocked down: he directed the Israelites to take ram's horns and make trumpets of them, to surround the city, and blow with all their might. Then the people were to shout with all their voices, and the walls were to fall down flat. I would advise the Government to follow that example: to send the hon. member home to England as a delegate, and if the British Government should refuse repeal, to station him in front of the Colonial Secretary's Office to shout. If the walls do not fall as he shouts I shall be very much surprised. I admire the voice of the hon. gentleman; I only wish that heaven had given me such a one, and I trust that the Government will not forget their constitutional lawyer when they come to appoint the delegates. Perhaps it may be unnecessary for them to take my advice,—the walls of Jericho may be down now, for I should not be surprised to hear that the hon. gentleman's shout had reached all the way across the Atlantic. I speak thus of that gentleman with perfect good nature, hoping that when next he addresses us he will give me as good a text.

Sometime after him we had the hon. member for Halifax, Mr. Northrup, who made a short speech. Some allowance is, of course, to be made for a young member unaccustomed to debate, but when I heard that gentleman's impassioned tones and language on the subject of Confederation, and his not very creditable allusions to the Hon. Mr. Mitchell and others, I thought "well, is it possible, that we have never heard of his being a Confederate?" It has been said that once on a time he sustained and supported the men who were carrying the scheme;—that may not be true, but he was certainly recorded as one of the most emphatic supporters of Union. Something wonderful must have occurred to change his opinions. He told us of what his customers said, and of what some one from New Brunswick said respecting the feeling there. I believe, from conversations I have had with parties from that Province that those rum "a are worth



Mr. McGee is and who is a statesman on the platform crowded with it ever held, sole attention two hours heard on a a delightful Joseph Howe, re to the ora- with you; per joined in an encourage- ke that—the spoken of as h to make ber for Col- her strange- and voices I deal!" That discent one it embers who bibles to re- which Joshua o were to be Israelites to pets of them, with all their o about with were to fall government to e hon. mem- te, and if the se, reveal, to al Secretary's not fall as he prised, I ad- man; I only such a one, ent will not er when they Perhaps it take my ad- ge down now, hear that the eached all the speak thus of good nature, dresses us he

the hon. mem- who made a is, of course, ber unaccus- ard that gen- language on and his not the Hon. Mr. "well, is it ard of his be- en said that and supported he scheme;— was certainly mphatic sup- wonderful his opinions. e said, and of wick said re- believe, from parties from are worth

about as much as some that we have had circulated here. It was said, we know, that hundreds of men of the first standing had forsaken us and joined the Anti-Confederate cause in Halifax, and yet we know that not a man of good position has left the ranks of the party. I assert that most emphatically, and should like to see proof to the contrary. I come next to the speech of the hon. member for Queen's, Mr. Smith, and of him I can say that he has not provoked retaliation by insinuations of motives, or by the use of violent language,—he will excuse me, however, if I say to him that I think the principles of constitutional law are utterly at variance with those he laid down. He spoke of the charter of George II., adopting the idea that that charter is inviolate and immaculate. I am old enough to recollect when Responsible Government was introduced—when the twelve gentlemen who sat in the Council exercising executive and legislative functions were, by an Act approved of in England, required to vacate their seats, and what was the argument then? Mr. Logswell raised the cry of "the charter, the charter!" But the Parliament and Government of England declined to say that the charter restrained the Legislature from passing such an Act. That was the great argument, however, then,—the Councillors said: "The King of Great Britain has by his charter appointed us, and no Act of your Parliament can touch us." That was the very same doctrine that we heard from the Attorney General the other day.

Hon. ATTY. GENERAL—The Councillors held office at will.

Mr. BLANCHARD continued:—That makes no difference,—they were appointed by charter, and did their objections avail them? No, they were swept off, the question of that charter was disposed of pretty quickly, and a Legislative Council was appointed in their place. But, says Mr. Smith, "here is an answer to all your black letter laws,—here is a confirmation by the Privy Council of the Queen's right to grant the mines and minerals of the Province." Who denied the right? True, for a time there was a doubt about the matter, but the question was at length decided. Who denies that the Sovereign could grant the unoccupied lands of this Province, but all this does not affect the question of the charter in the smallest degree. The hon. gentleman told us that Catholic Emancipation did not pass against the will of the people. It is the first time that I have heard that assertion,—will anybody tell me that if the voice of the people of England had been taken on the question there would not have been an overwhelming majority to say "no"? It is to the everlasting credit of some of the best Protestants of England that they carried the measure against the prejudices of the majority of the people, and obliged the people to submit. Let me here contradict the assertion made by some one that this question and that of the Irish Union was referred to the people. The people of Ireland were opposed to the Union, but the Union was effected through the will of the Legislature.

We have been told that Prince Edward Island and Newfoundland have not been coerced

into the Union? Why is that? Because their Legislatures—the only true exponents of the wishes of the people—the only constitutional and regular channel through which their wishes can be made known, did not agree to the scheme. With reference to the Legislative power which Great Britain possesses over her Colonies, let me read from Blackstone, vol. 1, page 101:—

"When the sovereign Legislature sees it necessary to extend its care to any of its subordinate dominions, and mentions them expressly by name, or includes them under general words, there can be no doubt but then they are bound by its laws."

That is the general doctrine, and as regards the prevailing practice, do we not, day after day, submit to laws passed just in the same way as that which united the Provinces? Whenever Parliament chooses to pass such an act the people must submit, and there can be no appeal. Let this House and the country bear in mind the great distinction between the British and the American rule on this subject. In the Republic, if any one is dissatisfied with a law which has been passed, he can bring it before the Judges of the Supreme Court, and if it be unconstitutional the Judges will not enforce it. Have we any such rule under the British Constitution? No, the Judges of England are as much bound as the meanest subject in the realm by any law that Parliament may pass. Let me here read from Kent, a most celebrated writer on American law and the constitution of the Union. In vol. 1, page 504, he thus says:—

"A case in Pennsylvania has been recently decided involving an important political principle—the Court held that a statute authorizing the citizens of certain Counties to decide by ballot whether the sale of spirituous liquors should be continued in said Counties, was UNCONSTITUTIONAL, as being a delegation of Legislative power not permitted by the Constitution, and contrary to the theory of Government. So in New York, an act establishing Free Schools, which had been submitted by the Legislature to the popular vote, was declared to be not a law."

Now we have a law exactly like that in Nova Scotia, at this moment: that if any polling district should, by a majority of its voters, declare that they do not desire licenses to be granted, the licenses cannot be issued, and yet such an enactment in the United States has been pronounced unconstitutional. That is the distinction between this country and the United States. There is with us no power that can interfere with or dispute the authority of the law as declared by Parliament. The reverse is the case with the United States, and yet some gentlemen seem to desire connection with that country. We know that a great cry has been raised about the members who sat here two years ago, having forgotten their obligations to their constituents. Now upon that point let me read another extract from Blackstone, page 159:—

"The system of members being bound to obey their constituents is spoken of by De Tocqueville as one that would, in the end, render all the guarantees of representative Government *useless and vain*."

Upon the same point Smyth, in his lecture on the French Revolution, said:—

"How absurd to have a question decided by the constituents at one end of a country, and afterwards



debated at the other. Of what use are reasoning and sequence addressed to those who, in the first place, have to lay their instructions on the table."

I refer to these points in view of the condition of things two years ago, and to shew that the legislature of that day was bound to pass such measures as its members believed right, without strict regard to the views of the constituencies. Listen to what Burke said upon that question while addressing his constituents at Bristol. He said:—

"I do not obey your instructions! No; I conformed to the instructions of truth and nature, and maintained your interest against your opinions with a constancy that became me. A representative worthy of you ought to be a person of stability. I am to look to your opinions indeed; but to such opinions as you and I must have five years hence. I was not to look to the flash of the day. I knew that you choose me, in my place, along with others to be a pillar of the state, and not a weather-cock on the top of the edifice exalted for my levity and adversability, and of no use but to indicate the shiftings of every fashionable gale."

In view of these doctrines, so well established, I ask whether it was becoming to style the men who voted for Confederation, two years ago, "traitors," because they went, it may be, against the wishes of their constituents? I will come now to another branch of the argument. The hon. member for Queens referred to the large petitions got up, at the instance of Dr. Tupper, for the dissolution of Parliament, and he quoted that gentleman's remarks to shew that the Governor was bound to dissolve the House when a majority of the people shewed themselves hostile to its measures. But the hon. member forgot the answer that was given to that request, and I give that answer more especially for the benefit of the liberal members of the House, because it came from the man whom they appear willing to bow down and worship. Mr. Howe, in leading the government of that day, defied Dr. Tupper, and said that the legislature was not to be influenced by every breath of popular opinion, and that for its full term the legislature would continue to govern the country in the way it thought proper—not as the delegates, but as the representatives of the people. From a Minute of Council, dated 29th July, 1861, I take this extract:—

"Mr. Hatfield and Mr. Campbell are the best judges of the soundness of their own views and the propriety of their conduct. They are not delegates but members of Parliament, and from the moment of their election they were bound to represent, not only Digby or Argyle, but the whole Province, whose great interests were committed to their care. This doctrine laid down by Mr. Burke at Bristol in 1774 has never been questioned in the Imperial Parliament. And Mr. Horsman, member for Strone, though recently called on by his constituents to resign, has asserted his rights, and illustrating this sound British doctrine, positively refused. If members were to resign whenever for a moment they displeased their constituents, the calls would be frequent—personal independence would be rare, and questions would be discussed by requisitions rather than by fair deliberation and manly debates. If Parliament were to be dissolved whenever a gentleman changed sides, or a discontented constituency petitioned, free institutions would become an endless distraction, and no man would ever dare to deliberate or run the risk of being convinced."

These are the doctrines of Joseph Howe, put upon the Minutes of Council, and here

again is a statement of his views on the 20th April of the same year:—

"With regard to the members of Digby and Argyle, it is the undoubted principle of the British Constitution that a member once returned by a constituency has to consider what he believes to be the interests of the whole country and not the wishes of a simple constituency. He is elected a representative and not a delegate, and the constituency have given up to him for the limited period fixed by law for the duration of the Parliament the power which they possessed."

We have heard announced the doctrine that members are bound to be guided by the wishes of their constituents, and in no case to depart from the views of the people, but I leave this point with the comments which I have already made. In passing from the speech of the hon. member for Queens, I must thank him for the kindness with which he treated me and my colleague. I wish I could congratulate all the members for having evinced so generous and candid a spirit. When I addressed the House previously, I am free to confess that I was to some extent blameable for the warmth I exhibited, but I held out the olive branch, and said that I regretted some of the language which I had applied, and that I had used that language only because I had been provoked beyond endurance. I said I hoped that in future we would be able to conduct our debates with good temper and moderation, but have I been met in the same spirit? Sir, there never was a man who stood on those floors and had so much contumely and contempt heaped upon him as have been heaped upon me by two or three members, and before I am done, if Providence give me the power, I will teach them not to repeat their conduct—teach them that towards me they should have acted with something like decency and moderation. When some members have thrown upon me affronts of no ordinary kind—have even dug up the bones of a departed brother and flung them in my teeth, they must and will be taught a lesson they will not readily forget unless I am deprived of the powers of speech.

The next member who spoke was Mr. Chambers who gave us a long discourse on the tariff, and who endeavored to give us the benefit of his general knowledge of business. I do not think, however, that he met the argument that I had put fairly before the House, but I shall speak of him with respect, because his treatment of me merits such a return. He told us that his children had put into his valise a couple of books from which he read,—I have heard of a good many clever children—some exceedingly clever ones—who could instruct their parents, but if he has children capable of comprehending those books their precociousness must have arisen from the principles which make the parent resemble Nebuchadnezzar, who "ate grass like an ox." He told me that he and I started in life together,—I did not feel much flattered at that, because I was under the delusion that he had started in life ten years before me; but he went on to say that I had obtained what I sought: a high position in this country. That reminded me of a remark made by the late Mr. William Murdoch, when he was about to depart from Nova Scotia,—some of his friends gave him

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a supper party, at which his health was proposed by Mr. Howe, who passed a high encomium on him for his abilities, and for the position which he had acquired. Mr. Murdoch, who was well known not to be a public speaker, got up and said: “Mr. Howe and I set out in life at the same period but with different objects, and we both obtained them,—he sought fame and he got it—I sought money and I have it.” I know that I have not obtained very great fame, but I know that the hon. member for Colchester has obtained money. If the object of my desire is still glittering before me, that is not the case with him, and I congratulate him on his success. He talked, however, about the wild woods of Canada in such a way that would lead one to suppose that he had never been in Canada,—I can tell him that away up in those wildernesses they have cities containing four times the population of Halifax, and that he should remember, when talking about our fine folks off Nova Scotia, who, like Robinson Crusoe are “monarchs of all they survey,” that the waste, howling wilderness of Canada contains more than four times the population of Nova Scotia. The Chinese used to talk about “outside barbarians,” and used to think that “these English were not fit to associate with the great people of China,” and so it is with some great people in Nova Scotia, who say to the Canadians, “oh, keep away from us you backwoods’ people, we want our country for ourselves, and wish you would leave us alone in peace.” It has been said that in my remarks in a previous debate I attempted to attach a stigma upon the people of Colchester,—every member of the House must know that nothing was farther from my thoughts,—I was trying to turn into laughter and ridicule a remark made about the people shouldering their muskets in the cause of repeal. Outside of the House it has been said that I insulted the people of Colchester,—I leave it to those who heard me to say whether that is true or not.

The hon. member for Colchester, Mr. Chambers, found that his notes had got into confusion; “but,” said he, “I am here to make the worst of Confederation.” Nothing could be more honest than that admission, and if all the gentlemen around me would make as clean a breast of it I could understand them better. The hon. gentleman admits that he is not here to look at the matter in a fair light, but to make of it the very worst that he can. He told us also that he came here pledged to the policy of repeal, and I rather think there are a good many like him, for while I am free to admit that the subject of Confederation was to a large extent before the people at the elections, I deny most emphatically that repeal was the great question before the country. I assert without fear of contradiction, because I have it on excellent authority, that one of the members for Halifax denied and repudiated that he was running for repeal during the election contest, at St. Margaret’s Bay. Mr. Jones and one of his colleagues made that denial most emphatically during the canvass, putting, as the issue before the electors, the propriety of punishing the men who had carried

Confederation. The hon. member, Mr. Chambers, went on to say “we are all open to conviction”—I would not like to doubt his assertion, but I believe something like this of his friends, that

“A man convinced against his will  
Is of the same opinion still.”

I think all that could be done in the way of reaching their convictions would not accomplish a great deal. He gave us a very telling description of a supposititious case—of my having gone to Ottawa, and having obtained as a match for my daughter a duke or a lord, and then having forced her into matrimony. I have no idea of going to Ottawa; I want to stand by the wreck, if we must call it so, to the last, and I will remain here as long as any constituency honors me with its confidence; but if I wanted a duke or a lord, that would hardly be the place to go for one, and I can assure him I would take care that the interests of all parties were consulted. In course of his speech the hon. member told us that he could make a tariff in two days. What a fortunate county Colchester is to have two representatives, one of whom could make a volume of revised statutes in a week, while the other could make a tariff for the Dominion in two days. Let us hand over to them all the business which usually occupies the time of the Legislature, and I have no doubt these two great minds will arrange all the affairs of the country without any difficulty. Their accomplishments would make the eighth wonder of the world, and I only hope they will not hide their talents under a bushel. I have not time to follow the hon. gentleman through all his remarks about the duties, but I understood him to say, in reference to the shipbuilders, that he did not pity them—that they were served right, for “while they live they live, and when they die they pay nobody.” He reminded me of an old adage, which does not apply to him, but which runs:

“He who drinks grog at night and goes to bed mellow  
Lives as he ought to live, and dies a jolly fellow.”

I think that some of the hon. member’s friends, for instance the hon. member for Yarmouth, and the hon. member for Pictou, Mr. Copeland, will hardly think themselves complimented at the idea of the probability of their dying some of these days and paying nobody. I was surprised at the versatility of the hon. member for Colchester. He drew illustrations from nearly every source, and came at last to Marryatt’s novels, from which he gave us a description, that I hardly think he meant to apply to me, because it is a description of a dog, not of a man. They drowned him, and he would not die; they shot him, and he would not die; they hanged him, and he would not die; and this makes me think he must have referred to me, because I have been shot at and stabbed, and yet here I am alive and to the fore.

The hon. member read us an extract from one of his books. I thought it was never going to end, but at last it did, and he sat down after talking so long and so fast that he could talk no longer. But, like Snarleyow, he came to life again, and in course of a dis-

sensation of an hour and a half said that it had been put on him to review the tariff. Who put that task upon him? Was it done in caucus, or did the Government put it upon him, feeling that they had not enough ability among themselves to discuss the matter? I do not wonder at the selection, however, because if Mr. Chambers could make a tariff in two days, he was just the man for the undertaking. We have in the Government a Finance Minister, an Attorney General, and other unofficial members, but their duties are delegated—one member gets the tariff to deal with, another touches upon the finance question, and so on all around. I have now finished my review of the speeches of the hon. member for Colchester, and if I have said anything offensive, I trust he will not take it in that light, for I have not meant it so.

The next gentleman to whose remarks I will refer is the hon. member for Victoria, who, smarting under some observations which I had made on a previous day, rose with the determination of hurling around him without consideration or reflection, such anathemas and vituperation as are rarely heard here. I ask him if he knew that he was talking of men whom this country delighted to honor for forty years, when he talked of a few blacklegs coming down from Canada? When did we ever hear this Legislature disgraced by such language before?

**THE SPEAKER**—Order.

**MR. BLANCHARD** continued:—I feel that I am right in what I have said, when I am commenting upon an epithet too opprobrious to be used here. I have spoken about "bad English," but I ask if worse English than the expression to which I have referred could proceed out of the mouth of any person? The hon. member said that these men, delegated as they were by the highest authority in Canada, should have three years in the Penitentiary. Let those who are out of that institution plume themselves on the fact. I ask any member of this House, or any man who hears me, to go home and think of himself, of the position he occupies, of those who are near and dear to him, and I ask if one man out of fifty thousand can say after that examination: "There is no spot on one of those with whom I am connected." Let the hon. member consider that, and when he next feels inclined to hurl the epithets "blackleg" and "common drunkard," let him remember that he who is without sin should cast the first stone.

**THE SPEAKER** said that Mr. Blanchard's language and manner were calculated to irritate members.

**MR. BLANCHARD** continued:—I have sat here for three or four days listening to such language as no ordinary man would submit to, while such language is used in reference to those whom I respect, as long as I draw the breath of life I will not suffer those who use it to escape with impunity—they must take the consequence. The hon. member for Victoria said that the Canadian Government, having reduced this country to the verge of bankruptcy, were now calling on us to pay their deficiencies. That is not the fact, and the hon. member should have known

that we go into Confederation with an equal debt, and that the surplus debt of Canada is to be paid out of her local revenues. He also said that Cape Breton had petitioned to be annexed,—I gave proof for my assertions on the subject of that union, and I ask him to give his proof for that. But at the close of the hon. member's speech he said that he was about to reveal a state of facts that was not at all creditable,—he undertook to say that, desiring some alterations in post rides he had called on the Postmaster General, and that the answer of that officer was, "have you seen Mr. Blanchard?" He then went on to ask if I was the man to be consulted, insinuating that I controlled the post office patronage of this country. He had not resumed his seat an instant when, not knowing what he meant, I asked whether the changes were not in post rides that run through my own county. I received no answer to that question, and I ask what the House thinks of a member coming and trying to cast a slur upon me and upon the Post Master General, without being in a position to answer that question on the spot. But what will be thought of him when I read the correspondence which passed between Mr. Woodgate and myself at the close of the hon. member's speech? I wrote this note to the Postmaster General:

HALIFAX, Feby. 15th, 1868.

*A. Woodgate, Esq.*

Dear Sir,—Mr. Kidston has just stated in the House that on asking you about some Post Office changes, you asked him if he had consulted me. Will you be kind enough to let me know if the above is correct; and if so, under what circumstances you made the observation.

Yours truly,

(Signed) H. BLANCHARD.

GENERAL POST OFFICE,  
Halifax, Feb. 15, 1868.

Dear Sir,—I beg to acknowledge the receipt of your letter of the 15th instant, and to state that some few days ago, Mr. Kidston called at my office, and suggested some changes in the mail route between Plaister Cove and Baddeck and Mabou, Whyocomagh and Baddeck. After expressing, each of us, our views on the subject, I said: "Have you consulted Mr. Blanchard?" or "Would it not be best to speak to Mr. Blanchard on this matter?" or words to that effect. I mentioned this, as you were one of the members of this county, and I considered you should have a voice in such cases; at the same time, I never for one moment supposed Mr. Kidston would bring on the floors of this House a conversation which I looked upon as altogether private, for the time being, as of course such mail alteration would have to be referred now to Ottawa.

I am, yours respectfully,

A. WOODGATE.

*H. Blanchard, Esq., M. P. P.*

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with controlling the management of the Post Office, when the Postmaster General had merely referred to me because I was immediately interested in the subject. The post rides referred to are those running through to Baddeck and affecting Mabou, Wyocomagh and Plaisier Cove, and I ask what right or business one of the members for Victoria had to interfere and ask for a change in matters relating to my own county without consulting me? I should like to pay some attention to the gentlemanly speech of the hon. member for Queens, Mr. Freeman, but the abundant field for remark with which others have furnished me has left little time to delay. But he made one remark which was very true and for which I thank him. He told us that in six years Canada had increased in population by 582,000 persons. Is this the wild howling wilderness that we have heard of? Has this been going on in the backwoods about which the changes have been rung from one end of the country to the other? In six years its increase has been larger than the whole population of Nova Scotia. This is the terrible country with which we are connected, and which is hanging like a millstone about our necks. I thank the hon. member for the illustration, and I feel that when he comes to reflect upon it he will see that a very great deal of the contumely that has been heaped upon Canada is undeserved, because she is a great and growing country. In reference to the remarks of the hon. member for Halifax, Mr. Cochran, concerning the feeling in the city, I will merely say that my observations were made in answer to some remarks about a great change having taken place in public opinion here, and about the return of five Anti-Confederate members being a proof that a large majority of this constituency were unfavorable to union. I said that, as I was informed, the city had thrown a considerable majority in favor of Confederation—to that his colleague assented, but I did not say, and I should be sorry to say, that the whole wealth and intelligence of the metropolis were with us. I will say nothing of the influences which he spoke of further than to remark that I have seen such assertions as he made here denied most emphatically. I would be sorry to intimate that the hon. gentleman would say anything that he does not know to be true, but when he says that the Dominion authorities sent down a despatch telling the employees to vote for the Union candidates on pain of dismissal, I take leave to tell him that I wish the assertion to be proved. Mr. Tilley denied it in the most clear terms, and if the proof can be given, I take it for granted that it will be produced, but until then I take the liberty of denying the assertion.

I had nearly forgotten to notice the speech of the Provincial Secretary, who, contrary to the usage of members of Government, of putting themselves in the forefront of the battle, waited until nearly all the ammunition had been expended and nearly all the guns had been fired off, and then came to the rescue by giving to the House his version of the subject. He told us that he was once a Unionist. I am very sorry for his pervers-

slon, and as some of his followers have held out the flag of truce to me, saying, "come with us, and we will do thee good," I feel inclined to say the same to him, more especially as he should have been led by manly, British feeling to come to the aid of one who was being pitched into by some dozen of his opponents. The Provincial Secretary said that our harbors are open all the year round, while those of Canada are closed in winter, and that therefore our condition was not suitable for a Union. I can understand a gentleman living on the South Shore talking in that way, but if he came with me to visit the ports on the Gulf of St. Lawrence—some of them the finest in this Province—he would find it hard to discover an open harbor in winter. Where, in the fine County of Pictou, is there an open harbor? Has Sydney an open harbor? Then going around by Wallace, Pugwash, Windsor and Hantsport, and the other ports on the Bay of Fundy, he would find the harbors all closed. Yet he says that the Union is unsuitable because our ports are open and those of Canada closed. We would do well enough, the Provincial Secretary thinks, united to New Brunswick and Prince Edward Island, and yet the ports of the Island are closed until May. As to New Brunswick, it is true that a considerable coast is open, but the most flourishing parts are closed for six months. What, then, becomes of his argument?

He told us also that the figures prepared by Mr. Johnston were calculated to deceive, and that we are to lose by Confederation \$480,000 this year. I will not say that the figures of the Provincial Secretary were calculated for the purpose of deception, but how did he arrange them? All that is due on the Provincial building was charged against next year, when he knows that that is a part of the public debt. The building represents its whole cost; if the Dominion takes it the building will be set down at its cost, and the balance will be paid out of the Dominion treasury; and I ask then why, instead of that being credited, it was charged against our revenues? I do not care whether you call it £40,000 or the building; if we hand it over to Canada we must get credit for it, and therefore I say that a great mistake was made in charging the balance against next year's revenue. But what more? The Province has to provide two-thirds of the cost of a new Poor's Asylum; but by what jugglery can the Provincial Secretary charge the whole cost against next year's income? The cost is to be scattered over several years, or will be merely interest-bearing debt.

The next observation of the hon. gentleman was that the Quebec Scheme was better than the new arrangement, because it gave the Local Legislatures the right to tax our exports. I am thankful that the delegates had wisdom enough to take away that power, because if there be any one duty more hurtful and detestable than another it is an export duty. New Brunswick, it is true, has an export duty of one shilling per ton on timber, and we have a royalty of sixpence per ton on coal, but we should be exceedingly glad that the possibility of any increased tax

being imposed has been removed. I would infinitely prefer that a revenue should be raised by a tax on incomes or a *per capita* tax than by an export duty, and I am therefore, I repeat, glad that the right was taken away by the British Parliament. That step was not taken with a view of giving to the General Government the right to impose the duty, but to prevent difficulties from arising. Suppose, for example, that New Brunswick imposed an export duty of twenty per cent. upon some articles produced only by her, the result would be that the other Provinces would be taxed to that extent for the peculiar products of the Colony of New Brunswick. We were to be made one in effect, and yet that power would enable the Local Legislature to create hostility and inconvenience, and yet the Provincial Secretary considers this one of the disadvantages of the new scheme. He quoted Dr. Tupper to me. I am not bound to look at that gentleman as very high authority, and when the hon. member gives me Dr. Tupper I will give him Mr. Howe, and my authority will be as good with him as his is with me. When Dr. Tupper said that the House should have been dissolved in 1860, and Mr. Howe said it should not, Mr. Howe was right, and the British Government so decided. He had around him men who were capable of telling him what the constitutional law was. I was not a member of his Government at that or any other time; my advice was never asked by Mr. Howe, nor was it ever tendered to him, but he had around him men who were competent to do their duties well.

The Prov. Secy. said that I had boasted having been brought up at the feet of Howe and Young, and he and others associated me with democratic principles. I repudiate the imputation. The liberal party of this country went in for reform and progress; but they had as much true conservatism among them as the conservative party had. Some of the conservatives of this country jumped over our heads and became radicals, while we were the true conservatives. While I learnt the principles of progress and adopted them, I learnt also that the conservation of the rights of the Crown and of Parliament were as necessary as the conservation of the people's rights. He told us that some one had made the remark that Earl Russell, while in power, was a Tory, and while in opposition was a Liberal. I should like to ask him whether he, now that he is in power, is a Liberal or a Tory? What kind of a heterogeneous government have we? A repeal government some say,—that is all, they are like a bunch of sticks, with nothing to tie them together,—they have no other policy than that expressed in the shout of the hon. member for Colchester: "Repeal! Repeal! Repeal!" Yet these gentlemen say to me, "get away from us, you are a democrat—you were brought up at the feet of Howe and Young—we are the true conservatives—stand aside and let greater men pass." I did not expect to hear from a member with so soft a voice and gentlemanly a manner as the Prov. Secy. has, such strong language as he used. He talked about people hanging me from every barn in the country. Some one threat-

ened to hang me as high as Haman; but why erect a gallows forty cubits high for that purpose if I have been hung already? The hon. gentleman had better be careful that the popular tide does not change, and he will find himself hanging in effigy to a barn in Digby some day. Popularity is often very evanescent, and the day may come when even he will find himself deserted by many of his followers. He can tell us what is to be the result of this appeal to the Throne! He is in the confidence of Her Majesty's Government!! and no doubt carries on a correspondence across the water!!! He tells the country "do not be alarmed; I, the Prov. Secy., having held office for *three months*, have the wisdom and authority to tell you what will come to pass." When we get to the doors of the Colonial Secretary's office, whether we have to knock down its walls with ram's horns or not, I will tell you what the answer will be: It will be "take back your constitution, and then new life will be infused into Nova Scotia, and we will have an immense revenue to distribute." What a beautiful picture of the change that is to take place in this latter day of his dreams. Nova Scotia is to have such prosperity as was never heard of before, and her trade will be so vigorous that she will not mind a fifteen per cent. tariff. He does not pretend, however, that had we remained as we were, our duties would not have had to be raised.

I have passed over the speech of the Prov. Secretary, more hurriedly than I should like to have done had time permitted delay, but I come now to the speech of the hon. member for Lunenburg. I feel it due to him to say that I regret the circumstances under which his speech on the first evening was interrupted. His address was not marred by anything of which I can complain, but while advocating the views he held with all earnestness, he avoided references which others made, and which in my opinion were out of place. He said, and the statement was repeated by others, that the constitution of England was not changed by Catholic Emancipation and the repeal of the Corn Laws, but that these measures increased the liberties of the people. I deny that *in toto*, in the sense in which the terms are applied. Who were the people of Great Britain before Catholic Emancipation was passed? The people who had control of the Government, and of every public office, and from whom alone the Sovereign could come, were the Protestants of Great Britain. Outside of these there were no "people" according to the constitution. The Catholics were not recognized as a part of the people, but were deprived of the rights of British subjects. Instead, therefore, of the emancipation being an extension of the liberties of the people it was a curtailment of them, because by throwing in large additions of Catholics to the constituencies, the powers of those who before had held the franchise were abridged. Some of those who engaged in this debate may be wiser than Burke and Pitt, but these men declared the measure to be an infringement of the constitution as adopted at the revolution. They carried the bill through Parliament, however, in spite of an immense majority of the people, who were

aman; but why high for that already? The careful that the and he will find barn in Digby a very evanescent when even he say many of his that is to be the throne! He is Majesty's Government on a correspondence tells the coun- the Prov. Secy., onths, have the you what will to the doors of ce, whether we calls with ram's that the answer ok your consti- be infused into ve an immense hat a beautiful s to take place ms. Nova Sco- y as was never trade will be so ind a fifteen per etend, however, we were, our be raised. ch of the Prov. an I should like ted delay, but I the hon. member to him to say es under which was interrupt- red by anything but while advoc- at earnestness, others made, and t of place. He as repeated by of England was nicipation and but that these e of the people. se in which the re the people of o Emancipation p had control of y public office, Sovereign could stants of Great there were no ne constitution. nized as a part ved of the rights , therefore, of extension of the a curtailment of a large additions oies, the powers d the franchise e who engaged an Burke and the measure to constitution as they carried the ver, in spite of eople, who were

never asked to vote on the question at the polls. Parliament passed the Act and decided the question by opening their doors and every office in the kingdom save one to the aspiration of every honest Catholic subject. I deny most emphatically that these changes were referred to the people, and that they were not made in opposition to the feelings of the majority of the electors. A reference was also made to the Stamp Act passed to tax the American colonies, and while on that subject I wish to show the distinction between that Act and the Stamp Act recently brought into operation. The Attorney General and others attempted to show an analogy, and tried to make it appear that the existing Stamp Act was passed and enforced by a foreign Parliament. Such, however, is not the case. The first was passed by the Parliament of Great Britain to make the colonies pay a share of the expenses of the war which had just terminated between England and France,—a war in which the colonies had spent some of their best blood, and a share of their treasure. But the whole comparison is done away when we reflect that the existing Act was passed by a Parliament in which we have a voice. Gentlemen may say that it is a small voice and not worth having,—no matter how small it changes the constitutional rule relating to the whole matter. The objection was to "taxation without representation," but we have a representation.

From more than one member here, and over and over again in this discussion, we have heard that the scheme of Union was objectionable, because one of the delegates, while passing through Quebec, attached his name to it on Sunday morning,—it has never been pretended that more than one did it. The deed, of course, was to be regretted, but I can tell gentlemen that there has been more heavy sins than that committed round these benches within the past few days, and it would be well for us all if, when the time approached, for us to leave the world if we had no greater sin to answer for. I can appreciate a due regard for the Sabbath and the propriety of observing it with decorum, but I cannot appreciate this double refining, this straining at a gnat and swallowing a camel. Some of the gentlemen who made this objection committed a worse sin within half an hour afterwards by reviling their neighbors.

(The usual hour for adjournment having arrived, the debate was adjourned and the House adjourned.)

THURSDAY, Feb. 20.

The House met at 11 o'clock.

The adjourned debate was resumed.

Mr. BLANCHARD continued:—I would not, Mr. Speaker, have claimed so much time were it not for the peculiar circumstances in which I am placed. But of the number of gentlemen who spoke at the other side, a good many occupied more than an hour and a half, and to all who spoke I am called upon to reply. I will take care, however, that my remarks this morning shall be brought within a small compass, for I find that I have gone over nearly all that I desired to say. There were one or two points which I omitted yes-

terday in speaking of the finances, and these I will take up first. I shewed the House that the financial statement published yesterday morning, in answer to the calculations of Mr. Johnston, contained two or three gross errors by not taking into consideration the free goods that will be imported.

But there was another error which I omitted to mention, and which was one that such a gentleman as Mr. Jones should not have made. Referring to one item that he mentions, we find him stating that at the present rate of duty cotton warp will not be largely imported. Does not every one know that at this moment cotton warp is only half the price that it was last year? It has come down from 1s. 3d. to 81. sterling per pound; and yet that gentleman, in charging the duty derivable at fifteen per cent., has not taken notice of the price. The same import of cotton warp that was made last year would cost just half what it did then, and therefore the duty, as compared with last year, will stand at 7½ per cent. Yet that gentleman, actuated, no doubt, by a desire to make the matter look as bad as possible, has calculated the duty as being payable on the same quantity and at the same price. There is also a very large reduction in the prices of all cotton goods, and yet Mr. Jones takes no notice of this.

The hon. member for Colchester (Mr. Chambers), who dwelt upon the tariff, must have been aware of these facts. I have no doubt he does not like that the whole country should know them, and would prefer that his customers should not know that cotton and cotton warp has fallen nearly 100 per cent. It was said in course of the debate that it was never intended or expected that the delegates would have taken any action in England that would bind this country—that they were merely to have gone home for consultation, and to have returned with a scheme for ratification by this Parliament. That statement has gone from lip to lip, but I hold in my hand a public declaration made by the leader of the Government at the time when the resolution passed. In 1866, in reply to Mr. Annand, Dr. Trepper made this explanation, which is to be found on page 224 of the debates:—

"Hon. Provincial Secretary, in reply to a remark from Mr. Annand, said that the passage of the resolution would enable a scheme of Union to be given effect to by the Imperial Parliament, but that one of the conditions would be that the existing Legislatures would not be interfered with, and would continue to sit for the term of their election."

I ask whether, in the face of this declaration, it can be said that the country was deceived, and that the delegates were not given complete authority? The only reservation was that the existing Legislature should not be dissolved until the period of their existence had expired. In the face of this declaration given to the country, how can the complaint of deception be made? The resolution itself was as plain as it could be written; but to prevent the possibility of a misunderstanding, the leader of the Government, in distinct and unqualified terms, declared that the



delegates would ask the British Parliament to pass the Act. But we have heard that this Act of Union has never been recognized by this Legislature. What was the fact? Did not the delegates come back after the Act had received Her Majesty's assent, and give the country to understand that nothing but the Queen's Proclamation was necessary to carry the measure into effect. This Legislature, furthermore, by the first Chapter of the Acts of 1867, recognized the British North America Act as positively as if it had re-enacted it clause by clause, accepting entirely the condition of affairs.

Hon. ATTY. GENERAL:—The name of the Act is not on our statute book.

Mr. BLANCHARD continued:—What, then, is the meaning of the Act providing that the whole public system should be altered? What was the object in changing the members of the Legislature if the Act was not recognized? But the ninth clause of the chapter which I referred to mentions the British North America Act in terms recognizing it as the law of the country, and providing how the Legislature shall be controlled after it comes into operation. Notwithstanding that we have two laws of our own Legislature, based upon the Union Act, we are told that the country was deceived and betrayed, and never contemplated the passage of the measure. I shall wait with anticipation to hear what the Attorney General will reply to that branch of my argument. If time permitted, I should like to have gone into an examination of the amendments which I have laid on the table, because I believe them to contain a genuine exposition of constitutional law so far as I have been able to embody it in the advocacy of what I conceive to be the true state of the question. I prepared them with that view, and I invite the Attorney General to take them as a body or singly, and to show to the country where I have made a false statement, taken wrong views, or misstated the law. I will not go over them, because I have already occupied considerable time, and I do not believe in the advantage of very long speeches.

Some members have quoted the despatches as though the Colonial Secretary had required the measure to be submitted to the people. That course, I venture to say, was never contemplated. The directions from the Colonial office were that the matter should be referred to the legislatures, and by the legislatures the scheme was passed. Whether the members of the Parliament of Nova Scotia betrayed their trust, or not, is another question. I am not here as their defender, but I might reply to the taunts which have been used by saying that the men who were here then were equal, if not superior, to those who are here now; not only in point of talent and ability, but in honor and patriotism. For my own part, I feel no reason to be ashamed of the position I occupied, for two reasons: I acted in accordance with the convictions of my mind, and I was associated with gentlemen for whose character, talents and opinions I had no reason to blush, however much abuse may since have been thrown on them by gentlemen who will sit here for many a day before they earn for themselves the name and fame possessed by them. The hon. member

for Sydney took delight in attacking Mr. Bourinot, who, when he was here, was well able to take his own part; and the hon. member for Colchester attacked his former colleague, attaching to him the name of "smooth bore." I cannot say that I admire either the good taste or delicacy shown by thus attacking absent men. Some men are very bold when the enemy is not in sight. But if we are to be bored by anything I should prefer that it be by a "smooth bore," rather than anything else, but Mr. Archibald's smoothness is of the kind of which I should like to see more here; and if bored at all that the operation should not be performed by such dull and worn out pod augers as we have here. The public character of those men is before the country, and they need not fear the verdict of futurity.—I therefore feel that to make myself their champion would be going beyond what is necessary. I wish, however, that some of them were here for a little while, for if they were, some of those who have been so free in talking of "treachery" and "smooth bores" and "wily men" would forbear, or if they did not, would receive such a castigation on the floors of this House, as in my opinion their conduct merits. They have gone elsewhere, however, some in the discharge of public duties, others into private life, and under all the circumstances it would have been better to have conducted this discussion without some of the unseemly references which were made.

It was said by the hon. member for Kings, the Provincial Secretary, and one or two others, that if we received \$500,000 from Canada it was in payment of the debt which Canada was bound to pay. It is most extraordinary that members will pervert the plain figures placed before them.—I showed the House that Canada had paid \$500,000 beyond and above the amounts collected,—it was not for debt, but \$50,000 was for the Annapolis Railway, and \$450,000 were for our current expenses. It is true that \$100,000 was for interest, but that is not debt,—it is a portion of what this Province would have to pay if it were not for Confederation. To all this there has not been a pretence at contradiction.

Hon. PROV. SECRETARY.—Is not the sum advanced to be added to our debt?

Mr. BLANCHARD continued:—We will see presently. Our debt, it is said, is up to eight millions and a half of dollars, and the General Government has paid the interest on the \$500,000, by which it exceeds the limited amount. If it is added to our debt it will be because we are not able to meet our current expenses. Let the Government bring down the proof to controvert my statements if they can,—it is impossible that they can do so, because leaving out the Annapolis Railway which may be considered debt, \$450,000 is the smallest sum paid to Nova Scotia in discharge of her current liabilities. The question is whether the moneys collected here were sufficient to meet those liabilities,—I assert that they were not, and if I am right we have not got the worst end of the bargain. When gentlemen come here and pretend to show that the new tariff will put into the Canadian treasury \$500,000 more than was ever

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taken from Nova Scotia before, I reply that  
 the proof of the pudding is in the eating,  
 and the plain fact is that since 1st July we  
 have gone behind hand about \$500,000. If  
 an answer can be given to this assertion I  
 trust it will be given, but none has been at-  
 tempted so far. The hon. member for Kings  
 was exceedingly anxious to make an attack  
 on me, and I felt afterwards that I was less  
 plucky than usual when I prevented him  
 opening up a previous debate for the purpose  
 of going into a criticism upon my remarks,  
 but I thought that I and the House and the  
 country had had enough of those attacks,  
 and therefore resolved that if members were  
 anxious to display their wit they should do  
 so within the rules of Parliament. He, how-  
 ever, referred to some remarks of mine about  
 my feelings after an encounter with Mr. John-  
 son. Sir, when I have a skin on which no  
 lash will produce an impression I may be in  
 the position of some who never feel a sting.  
 He reminds me of the cattle in a particular  
 part of Ireland, which, it is said, are a most  
 convenient description of cattle, for when he  
 wanted a hide he had only to whip him  
 through a hedge,—that would take the skin  
 off, but in course of the next week a new one  
 would come on. I feel attacks that are made  
 upon me and do not pretend that I am not sen-  
 sitive, nor do I envy the man who does not feel  
 them. But when the hon. member says that  
 after the attack which he referred to I should  
 have gone to my constituents and told them  
 that I was unfit to represent them, he much  
 mistook honorable and gentlemanly feeling.

We have been talked to about taxes and  
 tariffs and some gentlemen with no bated  
 breath, and one gentleman said that three-  
 fourths of the people would prefer annexa-  
 tion to the United States to Confederation.  
 It required all your vigilance, Mr. Speaker,  
 to check these disloyal sentiments, but I  
 should like to point them to the land of their  
 delight, and show them that the greatest  
 taxation ever dreamed of prevails there. I  
 came yesterday across a statement compiled  
 from statistics which showed that the taxation  
 of the United States amounts to \$22 07 for  
 every man, woman and child within the  
 Union per annum. Who will talk about  
 annexation being preferable to Confederation  
 after that? Who will say that it is better to  
 go into the Democracy and pay a share of  
 its war debt—better that our country should  
 be ruined with all its interests than that  
 we should be associated with our fellow-sub-  
 jects in Canada? I conceive that the ex-  
 pressions which we heard upon that point  
 were made in haste, and that there is hardly  
 a man in or out of the House who would re-  
 peat them after an hour's consideration.  
 Away, if you please, with all loyalty and at-  
 tachment to the British Crown, decide if you  
 like as to which country we are to join upon  
 mere national considerations, but let us not  
 forget that if we go under the stars and  
 stripes, taking even the lowest view of the  
 cases, we will be a hundred times more heav-  
 ily taxed than we are within the Dominion.  
 I feel in making these remarks at the close  
 of the debate that I am not like a person  
 passing through an arid desert, culling a  
 flower here and there, because the subject

abounds with argument, and the only diffi-  
 culty is in selecting which to give the pre-  
 ference to. I have already commented upon  
 some peculiar and unnecessary statements  
 and references that were made, but there was  
 an expression used which I have not referred  
 to, and which grated very harshly on my  
 ear, it was the phrase "common drunkard."  
 Applied as it was to a public man of high  
 station, I feel the expression to have been one  
 of which the gentleman using it should have  
 been ashamed, as I know some of his friends  
 were on account of his coarseness. The re-  
 ference was either to Mr. McGee or to Sir  
 John A. MacDonald—I care not to which of  
 them; but I will tell the hon. member for  
 Pictou that he should be a little more cau-  
 tious before he ventures to throw stones. I  
 am as sober a man as there is in the Province,  
 but I should be very sorry to apply such a  
 term to any one, and I would remind the  
 hon. gentleman that there are some of his  
 own house and of his own associates whom  
 the phrase would suit as well as any of the  
 public men of Canada.

Mr. SPEAKER said that this expression was  
 out of order.

Mr. BLANCHARD.—I have no objection to  
 withdraw it, but the remark was no more  
 out of order than the language which I am  
 replying to and which was used deliberately  
 in reference to Mr. McGee, or Sir John A. Mc-  
 Donald.

The SPEAKER.—It is not in my power to  
 control members in speaking of persons else-  
 where, but I cannot allow any offense, by im-  
 plication or otherwise, to those over whom I  
 am presiding.

Mr. BLANCHARD.—My remark had no refer-  
 ence to any person within these walls, and I  
 should be sorry to retaliate in the style dis-  
 played by the hon. member for Pictou, but I  
 repeat that there is hardly a man in Nova  
 Scotia who, after sitting down and calmly  
 reflecting upon those with whom he is con-  
 nected, will feel himself in a position to throw  
 stones at his neighbors; and I think that  
 when any member so far forgets himself as to  
 use the language which I referred to, he  
 merits the answer which I have given. The  
 same gentleman gave us another long dis-  
 course on the question of the lands at Pictou  
 taken for Railway purposes. It is not denied  
 that in being granted again, the late govern-  
 ment restricted the lease to the right to use  
 them for those purposes. Some of the leases  
 of those lands were made by the government  
 of which Dr. Tupper was the leader, and I  
 and my colleagues issued others. If, how-  
 ever, they be unconstitutional and void,  
 there is a way of arriving at that decision.  
 The substance of the whole complaint seems  
 to be that some one applied for a water lot  
 on which to make a marine slip, and was in-  
 formed that he could not get a grant of the  
 water in front of the land of any person else.  
 The land ceased to be the property of the  
 projectors of the slip when it became the prop-  
 erty of the government for public purposes.  
 I do not feel in a position to say whether the  
 quantity of land taken was too great or not,  
 but I do say that the moment the land was  
 dedicated to public purposes the Marine Slip  
 Company and everybody else lost their rights

in it; but I take for granted that, if they had applied, they would not have been refused the lease.

The hon. member said also that we could have had Reciprocity without anybody being a bit the wiser, by means of legislation. If he understood the matter he would know that that is just what we have always refused on any terms. Legislative reciprocity means that the Senate and House of Representatives of the United States shall pass a bill for admitting certain articles duty free this year, and that the next year it may be repealed. No colony would accept such an arrangement for an hour, because the effect would be to build up interests and trades, and after we had got them in operation, three lines in an Act of Congress would destroy them utterly. The very fault that was found with the Canadian ministers was that they hinted a willingness to accept legislative reciprocity. We had once an Act of the Legislature of the United States by which ground plaster was admitted duty free; all around the Bay of Fundy, as if by magic, mills were erected to grind the plaster, but in a year or two after that industry was fairly under way the Senate revoked the Act, the mills went to ruin, and are lying there yet, monuments of the folly and danger of legislative reciprocity. Does not the hon. member know, furthermore, that we could not pass an act to admit free the goods of any one country alone? The policy of the British Government is that such arrangements are to be made only by act of the Imperial Parliament or by treaty. When he talks about the United States having reciprocity with one Province, he should know that the thing is impossible, and yet he talks as if Canada were the *bele noir*, and as if we could get a treaty without any difficulty if we were once rid of her. But if he will refer to his leader, the Attorney General, he will be told that, in his opinion, reciprocity is all a delusion—that we have no need for it at all, and would be far better without it—that we want protection, and should keep ourselves to ourselves.

The hon. member for Pictou was foremost among those who talked about treachery, and he went so far as to compare the men who voted for Confederation with Montith and Lopez, the most contemptible characters that history has produced. I wonder that he did not compare us with Judas Iscariot, for he could only go that one step farther than he went. I was glad to hear him say that he had no personal acquaintance with the Senators, because, if he had, he could not have used such language as that they were "a disgrace to the country." Is John H. Anderson, T. D. Archibald, John Locke or Benjamin Wier a disgrace to the country? And who is this that has the coolness to come here and speak in that way of our public men? When it is in his power to boast of having done for his country one hundredth part of the good which some of these men have done for it, we might be content to listen to him. Some of those gentlemen have built up large fortunes by their industry and enterprise, and have done more for Nova Scotia than he and his friends will do in the next hundred years. I will say no more upon this point,

but leave it, trusting that the hon. member will reflect upon his language, and feel that it should be withdrawn. He gave us poetic quotations in any quantity in his speech, and quoted Shakespeare in reference to me. I recollect hearing Mr. Howe say that one could make Shakespeare and the Bible prove anything; but what quotation was selected for me? It was in relation to the man who never smiled. I did not think that such a description was applicable to me—that I was a cynic, who never enjoyed anything like a joke; but Shakespeare speaks somewhere of a man who does smile, and he says

"That one may smile and smile again, and be a villain!"

I feel that perhaps the best answer I can give to the hon. member is to repeat some of the language which he used, and leave it in the ears of the House and of the country. He said he would be afraid to meet me in a dark lane, or to have me behind him in such a place. When a member of this House would come up to another placed in my position, and use such language, I feel that he needs but little reply. I am an assassin, am I? He is much mistaken in my character. Whatever I have to say to a man I say it to his face—not in a dark lane or behind his back; but I can tell him that a man who would aim at another such a stab as he aimed at me, would do anything in a dark lane. The use of this language accounted for the nervousness of the hon. member yesterday, when it was agreed between the Atty. General and myself that our speeches should close the debate. He sprang to his feet and was most anxious to know whether he could not get an opportunity to reply. I am willing to hear him if the rules of the House will permit it. If we are to sit for a week or a month longer, by all means let us have the reply and the rejoinder which will follow. He said also that such language as I had used was only to be heard in the Police office, the fish market, and the back slums of the city. I ask if any member of the House is warranted in making such remarks as these? When he talks about the back slums I feel that others may be as familiar with these localities as I. He then went on to talk of my name and family. Of that name I have good reason to be proud, but when the hon. member undertakes to tell me that a brother, who has been dead for twenty-five years, would be ashamed of me if he were here, I ask him if he should not feel somewhat ashamed? The honor of my family is in my keeping, not in his,—if it were in his I fear it would be sadly tarnished. When next he talks to me about my family he had better beware of the retaliation which will be the result. I do not rely for my defence on the fame of my ancestors, but on my own right arm and on my own ability, and I repeat that when next the hon. member feels inclined to indulge in those attacks he must not forget that I will have an opportunity for reply. I regret exceedingly that he has driven me into a line which I would prefer not to have taken in closing this debate,—as I said before, I held out the olive branch in closing my last speech, and almost pleaded that we should have no more exhibitions

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of warm feeling, but that the public business should be carried on in a gentlemanly tone and manner. I rejoice that that appeal was responded to suitably by many members who have engaged in the debate. I now, in conclusion, thank the House for the patience with which my address has been listened to, and promise that unless circumstances require it I will not again occupy so large a portion of time.

#### SPEECH OF HON. ATTORNEY GENERAL.

HON. ATTORNEY GENERAL said:—I am happy that at last this debate, which is the most important that ever occurred in the Legislative halls of this Province, is about being brought to a close. In the remarks which it will be my duty to offer to the House I will not imitate the tempestuous oratory of the learned and honorable gentleman who has just resumed his chair, but I shall endeavor as calmly and coolly as is possible to review him and his discourse. I will not notice the amendments which he has offered, because in sustaining the resolutions which I submitted I must necessarily refute his, as they were introduced for the purpose of contradicting mine. I cannot of course admit the soundness of the constitutional law which those amendments embody, and I do not believe they are altogether accurate as to facts. I shall however treat the honorable and learned member with the utmost possible courtesy, and shall endeavor as far as possible to indorse his own estimate of himself. He tells us that he is a very profound lawyer—I intend to admit it;—he says he is very brave—the terror of all his enemies—I will admit that also,—he is a hero. But there is one perfection which I fear I cannot concede to the honorable gentleman, I am not prepared to admit that he is a very good logician. His dialectics are a little disordered, and I fear that in the multiplicity of his studies he has not paid a great deal of attention to the art of logic. The first of the resolutions which I laid on the table asserts the somewhat self-evident proposition that the Legislature of this country, having been elected to make laws, statutes and ordinances, under a written commission or charter, had no power or authority to effect an alteration or abridgement of the constitution. That was a proposition, one would suppose, that was too self-evident to be controverted, and I ask, Mr. Speaker, how the learned member from Inverness has attempted to controvert it? He has done so by referring to the Imperial Parliament, and saying in effect:—"Because the Imperial Parliament possesses the power to alter the constitution, therefore the inferior Parliament of Nova Scotia has the same authority." He need not have given himself the trouble to search for precedents and authorities to sustain his view of the power of the Parliament of Great Britain, for who ever doubted or questioned the extent of that power? The Parliament of that country is the supreme power in the land,—it stands above everything and can therefore do as it pleases. It is absolute within itself, and there is no power within the constitution that can review its acts and statutes. Consequently when the Queen,

Lords and Commons of England have determined to make an alteration in the constitution they were at perfect liberty to do so, for the simple reason that there is no authority superior to theirs that can question what they have done. But is that the case in this country? What sort of a constitution have the people of Nova Scotia? A written constitution and charter, given to them through the commission of the Governor of the Province in 1747, and composed likewise of a number of instructions in despatches, which I have carefully examined, but which I shall not read to the House. That charter defines the Legislature of the Province to consist of a Governor *quasi* king, a council *quasi* Lords, and a House of Representatives *quasi* Commons, and confers authority upon it to make laws, statutes and ordinances for the peace, order and good government of the colony.—This constitution is defined and written like that of the United States, and our Parliament consisting of Governor, Council and Assembly have no power to legislate beyond the authority conferred on them by the commission or letters patent. Therefore it is possible for a statute of this Legislature to be void and there is a power which can declare it so. In order to illustrate this position let us suppose that the Legislature of Nova Scotia passed an act authorising the Legislature of Prince Edward Island to tax the people of Nova Scotia. They would have the power practically and *de facto* to put such a law on the statute book, but I ask if that statute would not be void? I ask if the people of Nova Scotia could be taxed under an act passed in Prince Edward Island and by the authority of such a statute? Let us suppose for a moment that by virtue of the Legislative power conferred on them by this Parliament, the Legislature of Prince Edward Island imposed a stamp duty such as Canada has taken the liberty of imposing on us,—and suppose that a gentleman in Nova Scotia had given to another a note of hand which the law of Prince Edward Island declared void, unless stamped, and that an action was brought upon it,—the maker of the note pleads the statute of Prince Edward Island, and what would the Supreme Court say? Would not the Supreme Court have the power to decide that the Legislature of Nova Scotia had transgressed its authority in passing such a law, conferring on a foreign legislature the power to tax our people? Would not the judges refer to this charter and declare the stamp act void? That undoubtedly would be the decision, and if the judges did not decide so they would conduct themselves in opposition to the plainest principles of justice and common sense. If they did not decide so the party to whom the note was given would appeal to the Privy Council, and how long would such a law be allowed to disgrace the statute book of Nova Scotia. Therefore the comparison between the two Parliaments was entirely inapplicable. The Legislature of Nova Scotia as compared with that of Great Britain is like a mosquito compared with an elephant. There is a remarkable resemblance between them,—the mosquito has a long trunk, as we sometimes know when he penetrates our flesh and causes no little irri-

tation of our nerves, and so has the elephant. The elephant could take a man up on his trunk and pitch him on his back; and if I asserted that the mosquito could not do the same, following his process of reasoning in the present case, the learned gentlemen would contradict me and refer to the elephant in proof of his opinion. The reasoning in the one case is as good as that in the other, and when the honorable gentleman undertook to cast a doubt on the authority of Lord Mansfield I am again involuntarily but forcibly reminded of the mosquito and the elephant. I think I have shown plainly that there is no comparison between the two Legislatures,—I have shown that it does not follow that because the Imperial Parliament can alter the constitution, the Parliament of Nova Scotia can do so too. But he has asserted that the Legislature of Nova Scotia had repeatedly altered the Constitution. There I am at issue again with the hon member as to the facts. This Legislature has in no single instance altered the constitution, but has always enacted its laws within the range of the constitutional authority conferred by the charter and the instructions of which I have spoken. "But," says the honorable member for Inverness, "has not this Legislature altered the polling districts throughout the country? Have they not increased the representation of one county and lessened that of another? and is this not an alteration of the constitution?" My answer is, no. These were no violations of the constitution. At the time when the Governor was ordered to call our assembly for the purpose of making laws there was no subdivision into counties, the country was sparsely populated, no survey had been made, and as a consequence the Province was as it were all one county. The instructions from the home government tell the Governor and Council, in calling together the Legislature, to make such distribution of the seats as they thought proper, so that they acted under the constitution throughout. When the country was subdivided into townships and counties, it became necessary to alter the representation, and thus the whole proceedings to which he refers are strictly within the limits of constitutional authority.

Then again the honorable member referred to the case of Cape Breton, and asked, "Did not the King in council by proclamation unite Cape Breton and Nova Scotia?" He did; and that circumstance goes to maintain the line of argument which I have adopted. What was the condition of Cape Breton? She was a conquered colony, and from the time of the conquest of Louisburg was held by the sovereign of England as his estate in fee simple. The King had the whole legislative power in himself and he chose to govern the colony, as a crown colony, under certain regulations made by himself, through a Governor and Council. The Parliament of England or that part of it consisting of Lords and Commons had nothing to do with the matter, for as I said the King was owner of Cape Breton. He did not give it the same charter as he gave to Grenada and the older colonies, but continued to rule it as sole legislator until he thought proper to confer the privileges that he had conferred on Nova

Scotia. The hon. gentleman will not pretend to say that Cape Breton ever had an assembly or any body resembling a legislature to make laws for the country. When the King thought proper to annex the island to this Province he did not infringe the laws of Nova Scotia but imparted the blessings of the constitution of Nova Scotia to his subjects in Cape Breton, and when the people of the island foolishly objected to the transfer and went home with their case to the Judiciary of England, they were told and told properly "the King loves you, and as he thought proper to dispose of you he had a right to do so, because he held you in absolute sovereignty." That illustration therefore goes to support my argument.

Then, again, the hon. member asked us if the Legislature of Nova Scotia did not confer universal suffrage on the people, and in doing so change the constitution? I reply, No. It was not a Legislature that gave universal suffrage; the original commission was to the "planters and freeholders," and they alone, in conjunction with the Governor and Council, could make laws. The Governor represented the Sovereign, and the Sovereign had retained in his hands power to abrogate any statute of the Legislature. He had retained all the powers which he did not confer on the people of Nova Scotia, and those powers were by no means inconsiderable. Having, then, given the privilege of legislation to the planters and freeholders, he had a right afterwards to give that privilege to the rest of the people. Therefore, without violating the constitution, but in the exercise of her Royal authority, by assenting to an act of our Parliament, the Queen extended the privilege, formerly limited to the freeholders and planters, to the householders and other inhabitants of the country. We were told that on another occasion the whole constitution was convulsed and overthrown by a sort of political earthquake—that the whole of the old Council of Twelve who exercised legislative and executive functions were dismissed by a single stroke of the pen of the Colonial minister, and thus a complete revolution was effected. In that statement of the case the hon. member is greatly mistaken. Whose Council was that? It was the same Council that the King had ordered to be summoned when he gave the charter to Lord Cornwallis. That charter ordered the Governor to select and choose a Council who should hold office at the will of His Majesty. These twelve Councillors were the legal successors of the first Councillors, and at the time they were dismissed were holding their seats at the Council Board at the pleasure of the King or Queen, and were liable to be called upon at any moment, as they were on the revision of our institutions, to resign their commissions and give place to substitutes. So that in no one of those cases was our constitution invaded.

But the argument of the hon. member assumed a position which is by no means granted, and that is that in case of Confederation our Constitution was changed by our Legislature. He assumed that to be a fact which is not consistent with the truth. The Legislature of Nova Scotia has never been a



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party to the British North America Act, nor has it ever recognized that Act as having any force or obligation on the people of Nova Scotia. Upon that point our statute book is completely dumb—the British North America Act is not ratified or confirmed by any statute of ours, and without some such statute the people and Legislature could not have expressed a desire to be connected with Canada. These are arguments for the people of England, and for the constitutional lawyers of that great country,—they will pass from my lips to the Crown Officers of England. The constitutional officers of Nova Scotia have shewn themselves unable to deal with the question, and we would have supposed that when all the leading Barristers of Nova Scotia, as has been stated, are Confederates, it is strange that among them all there has not been a man able to produce anything in the shape of an argument, or bearing the slightest resemblance to an argument. I shall state the case most simply, so that it will be plain to the meanest understanding, and I assert that throughout the debate in the Legislature and throughout the press of the country with the immense array of professional talent which has been spoken of not a man has been able to state anything like a simple and reasonable and proposition in favor of Confederation, and against the arguments which I have advanced. I will first turn attention to that great leading case which was decided, not by Lord Mansfield alone, but by the whole King's bench of England, and which stands on the books an incontrovertible leading case on the subject. I mean the case of Hall and Campbell. The hon. member for Inverness talked of Lord Mansfield, and seemed to insinuate that his authority was not of the highest character, and when I heard him I was a little astonished I must confess. That astonishment is increased when I reflect who Lord Mansfield was,—that he was decidedly and without exception the greatest jurist who ever sat on the bench of England. Lord Coke was eminent in the Common Law like Lord Mansfield, but the latter had travelled much further than Coke,—he had gone on a voyage of discovery all around the world of jurisprudence, critically examining and mastering the systems of Rome, Greece and Palestine—he was a most accomplished scholar, a man of the finest intelligence and the highest integrity. There never was a magistrate on the Bench who discharged his duties more satisfactorily, and with greater credit, since the world began, and yet that is the man of whom the hon. and learned member presumes to speak slightly! Why, sir, as compared with Mansfield, the best lawyers in this Province are as the half-hatched eaglets compared to the full grown bird that soars almost to the limits of the atmosphere. to gaze with unflinching eye on the dazzling radiance of the meridian sun. What was that case of Granada in which the decision of the King's Bench was given? The king had conquered the country: Granada had yielded to the royal arms, and in April, 1764, the king, by a Commission, (the same, I believe, as that conferred on this country through Lord Cornwallis, for Lord Mansfield, in his

decision, cites the very words which conferred legislative powers on Nova Scotia, and the Charter to Granada has, besides, the words: "in like manner as we have conferred similar powers on the rest of our Colonies," or to that effect, showing that the Charters were all copied from one original,) under the great seal of England, conferred on the people of Granada the privilege of self-government. He had at that moment supreme legislative power over the country,—it was his own country in right of his sovereignty,—he was its supreme legislator, and, as Lord Mansfield says, could have put to death every inhabitant, or have given any kind of government he pleased. By that Commission, in April, 1764, he divested himself of his legislative power. The Sovereign, it will be seen, is, as regards her rights and property, no more than another individual,—she has her rights, the people theirs. These rights are perfectly distinct and well defined by the constitution, and the Queen can no more interfere with the rights of the Province than the Province can interfere with her prerogatives. The two are perfectly distinct and independent, excepting that the relations of sovereign and subject exist between them. In July, 1764, the same king undertook to exercise the legislative powers himself, by imposing a tax upon the trade of Granada. A merchant who had paid the tax came to England, and sued the Collector for money received to his use, or as for money illegally exacted. The action was tried in Westminster Hall, and after four most solemn arguments by the ablest constitutional lawyers, a decision was arrived at. And what was that decision? That the king, having put his seal to the commission of Governor Melville, and conferred legislative power on Granada, had deprived himself of the power of legislation,—that he had thereby irrevocably lost the power of legislation,—that therefore his subsequent act was void, and the plaintiff thereupon recovered his money. That was the decision arrived at after the fullest deliberation, after the most mature consideration, and after the exercise of the first constitutional talent in Great Britain. The tax was held void, and why was it void? Simply, because the King's seal estopped him from levying such a tax, they were declared void, because he was estopped by the first seal from issuing the subsequent letters patent. My argument, which I shall now commence, shall be succinctly stated, and I shall endeavor to make it as clear as possible. But wishing to argue logically, I shall take the liberty of making two postulates. I shall demand it to be admitted in the first place that the people of Nova Scotia were never consulted as to whether they would part with their constitution or not. That is the first postulate, and let any man deny it who dares.

In 1863 the last elections preceding those of 18th September, 1867, were held; at that time the Canadian Quebec Scheme was not concocted. Therefore the question of Confederation was not before the people, and they did not pass upon it. Now the hon. member for Inverness became angry with some one for using the term "blacklegs," as applied to some of the statesmen of Nova Scotia. I do not like calling names, but it is



singular that that very name has been applied by English travellers to the politicians of Canada. I think it is Mr. Trollope who has said that in that country the term "politician" is synonymous with "blackleg." As I said, I do not like to call names, but it is impossible to get on without calling things by their proper terms. How can I otherwise explain what I mean in referring to those Canadian schemers who stealthily concocted a plan for the subjugation of the people of Nova Scotia—the men who tried by bribery and corruption to jockey us out of our rights. Is the word inapplicable? I think not,—it is the most appropriate, and I say that the men who conducted these practices would be horsewhipped off any race course in England as blacklegs. Our political knaves are not entitled, sir, to have such mild language applied to them,—they deserve something worse. There may have been some excuse for the blacklegs of Canada to lay hold of the revenue of Nova Scotia, but where is the excuse for the statesmen of this Province, who aided and assisted those men in destroying the liberties of the people? How shall I characterize such men as these? Men who, keeping the people from passing on a subject of such vital consequence to their interests, had the wickedness and cruelty in the dark and behind their backs to destroy the rights of their countrymen. Political assassins would be the name for them, and when I heard the hon. member for Inverness mention the name of Judas Iscariot I thought the association was discreditable to the celebrated traitor. Judas brought back the money,—he was therefore an honest man when compared with them. We will never catch one of those men bringing back the price of his treason. Judas also repented and showed himself a considerate man when out of a due regard for the best interests of his country he went and hanged himself. Those politicians have not the manliness to imitate his example and to commit such an act of self-inflicted justice. That, Mr. Speaker, is my opinion.

The hon. and learned member cited the conduct and language of Sir Robert Peel as authority. I did not wonder at his doing so, for I do not wonder at anything, such amazing things do occur now-a-days, that wonders have ceased. The spirit of amazement died within me when I heard the hon. member. Who was Sir Robert Peel? He was a great scholar, an English gentleman, a highly educated man and an orator, but he was a rat. For thirty years he headed a party and then wheeled round and joined his adversaries. And are not the gentlemen whose conduct I have been criticizing all rats—political vermin? Was there one of them true to his political colors? I do not now, of course, refer to gentlemen present. It is said that birds of a feather flock together—animals of some species also become gregarious, and it is well known that rats do not dislike the smell of rat. Sir Robert Peel descended into the grave as damaged a statesman as was ever cited as an authority. But the reference was made to prove what nobody ever denied: that the Parliament can do as it pleases.

The next position which I take as a postulate is that we have on our Statute book no Statute

ratifying or confirming the British North America Act. With these two postulates I proceed to show that the British North America Act is unconstitutional and void and in no manner binds the people of Nova Scotia. And I may say that if we had had in our administration men of high principle—men having any consideration for the rights of the country, when the Queen's Proclamation made its appearance on the 1st of July, our public property would not have been handed over to Canada, our railroads would be still in our hands, our revenues would have been still collected by ourselves and we should not have had the disgrace of coming practically under the operation of that detestable statute. But the enemies of the country had paved the way for its introduction by putting into power just the men to accomplish their iniquitous design. That is the reason why we are placed under a dominion in which *de jure* we are not and do not intend to be.—My argument is this: in 1713, after a British General had conquered Port Royal, now called Annapolis, which means the city of Anne, the treaty of Utrecht was made between the Queen and Louis XIV, by which the King of France yielded the conquest to the Queen of England, and thus Nova Scotia became the absolute property of the Queen, and she alone could thereafter legislate for this country.

The House of Commons had no authority over Nova Scotia then or now. They represent the people of England,—not a part of them as was said, for it would appear by the argument of the hon. member that the Catholics were unrepresented before the Emancipation Acts were carried,—they were always represented,—the House of Commons represents every man, woman and child in the British Isles, even the cattle and horses—everything from the grass upwards. The representation in Parliament is complete and why? Because the members of the House of Commons are chosen by the people of England. But did they ever represent Nova Scotia? Never; because the people of Nova Scotia had no voice in their election. Did the House of Lords represent the people of Nova Scotia? No; they represented the landed and aristocratical interests of Great Britain, but they never represented the interests of Nova Scotia, and had no power or authority to make laws for us. The whole legislative power was in Queen Anne and her heirs and successors, under the title of Louis XIV. and the arms of the British soldiery. That Legislative power seems to have been unexercised until 1747, when George II., by his Royal Charter divested himself of his right of legislation. To the full extent to which the charter goes he deprived himself of the power to legislate for Nova Scotia. I do not say that by that act the King's whole legislative power ceased,—all the powers which he did not give he retained, but such as he did give his seal would not allow him to take back, binding him as the seal of any other man or any member of this House would, him and his heirs forever. All who are in privy of estate with him are bound and thus Queen Victoria is bound by it. Having transferred the Legislative power to the people of Nova

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Scotia he could not take it back. The case of *Hall vs. Campbell* proves that if the King had consequently attempted to legislate for Nova Scotia by letters patent—which is the most solemn deed of the Sovereign—the letters patent would have been void. Now, I contend that when the Queen of England attempted to legislate for Nova Scotia by Act of Parliament, that act is void. This is an assertion which I make in the face of the constitutional lawyers of Europe. If the Queen could not sign letters patent by way of legislation, she could legislate by Act of Parliament. The Lords and Commons had no part in the matter; what they did was nothing,—it did not alter the case, for they had no authority over the land, and never had and never will have until we are represented in their bodies. What did they do? They merely sat beside the Queen and assisted her in doing what she had no right to do. If she had the right to pass that statute, the Lords and Commons merely assented. As if I, being the owner of a lot of land in fee simple, and being disposed to convey it, asked you, Mr. Speaker, and the gentleman who sits beside me, to join in the deed, and I wrote it in this form: "This Indenture, made between the Speaker, my hon. friend, and myself of the one part, and the purchaser of the other part, witnesseth, &c." The deed transfers my land in fee simple, but have the other parties who were joined transferred the title? By no means; the title passes because I, the owner of the land, signed the deed. The signature of the others was a mere matter of form, and conveyed nothing. And so, if the Queen of England had had the power, when that statute was passed, to legislate for Nova Scotia, and the Lords and Commons joined her, it would merely have been for form's sake; and I wish it to be distinctly understood as part of my argument that the Lords and Commons had nothing to do with this country. The hon. member opposite has asserted the very bold proposition that no act of the Imperial Parliament was ever declared void. Here I join issue with him. I will show him that statutes of that Parliament have been declared void in the most solemn manner imaginable. In 1774 or 1775 the Parliament of Great Britain took the liberty to pass a Statute Act and a Tea Duties Act to bind the American colonies. Now, let it be borne in mind that if those Acts had been passed to bind England, no power could set them aside; but when they were passed to bind the Colonies, those statutes were declared void because they were void on the principles which I have stated. And who declared them void? The Thirteen Colonies of America declared them void, as the people of Nova are now declaring the British North America Act void,—the armies of Congress declared them void,—the King of France declared them void, and with his army helped to give judgment against the King of England,—the King of Heaven declared them void because they were void in truth and justice. Lastly, George III. was himself forced into the humiliating necessity of declaring them void by acknowledging the Colonies to be free, sovereign and independent States. In 1783 those statutes were

given up in the most formal manner by the King of England, and the whole world since has concurred in the opinion I have stated. No man with any regard for his character as a constitutional lawyer would assert that the decision was not a right one. What led to the great revolution in England and the decapitation of Charles I.? Was it not the violation of the principle which is violated by this statute? What is the proposition which the American people contended for? That, having a legislature of their own, they could be taxed by no other power on earth. Representation and taxation cannot be separated,—without representation there can be no taxation. On that principle Hampden refused to pay the ship money,—when the King said "Give me your ship money," he answered "No, go to Parliament,—that is the only power that can tax me; and if you force your hand into my pocket I will draw my sword," as he did, and he died nobly contending for the rights of his country.

(The usual hour for recess having arrived, the House adjourned and resumed at 3 o'clock, when Hon. Attorney General continued:)

I was discussing, at the time of the adjournment, the possibility of an Imperial statute being declared void, and I think I had shewn pretty conclusively that a very important Imperial statute had been declared void by the judgment of the first courts on earth, and that when Parliament undertook to violate the constitution by taxing the people of the Colonies whom they do not represent, their statutes and legislation may be void. No principle is so perfectly obvious to the common sense of the House as that if the acts of a Parliament are void, there must be on earth some tribunal before which the viciousness of such legislation may be declared. It is very seldom that that great legislature has attempted to trample on the rights of the Colonies,—its leading characteristic has been kindness,—it has always extended the right hand of fellowship to us, and has ever treated us with the utmost consideration and benevolence; but it might possibly on some occasions be tempted to infringe the rights of a Colony;—we contend that it has done so on the present occasion;—that when the Imperial Legislature passed a statute creating a Legislature in Canada to rule over and tax the people of Nova Scotia, silencing the Legislature of this country to a certain extent, depriving the representatives of the people of Nova Scotia of certain powers, and conferring unlimited powers of taxation on an alien parliament in Canada, that statute affected fundamentally the laws of the Empire by violating the vested rights of the people of Nova Scotia. I have stated and proved that Imperial legislation has been declared void,—not only by Courts of Justice to whom the question was referred, but by the armies of the United States, by the armies of France, and by the declaration of the King of England himself; but before that legislation was passed, and while it was passing, it was declared void by the first constitutional authorities in England. The famous Chatham heading the opposition to the bills, and every man following him in opposition were found

openly and publicly declaring the principle which must be admitted as sound: that the Colonies in British America, not being represented in the British Parliament, could not be taxed by that Parliament. What is the reason of this principle? What is Parliament? Parliament is the representation of the people of the country who own the Government. To whom does the country itself belong? To the people. The will of the people is the supreme law of the land. Not only in England, but in Continental nations the people are the source of all power,—every dynasty, every authority derives its power from the people themselves. The people, as I have said, own the country, and the government are their servants. Let us see how far this doctrine has been established. When France had completely gone mad, had dethroned the hereditary sovereign and murdered him and his family and established a new order of things, what did the British nation do? Did they refuse to treat with the *de facto* government? No, recognizing the sovereign principle that the government belongs to the people, the British government recognized the revolutionary dynasty which the will of the people had created. They recognized the usurper Buonaparte and treated him as the sovereign of France when, though a Corsican by birth, he had seized the throne of one of the greatest nations in the world by the force of the bayonet. The principle is recognised in every country that the government belongs to the people, and that the people mould it as they please. The Government and Queen of England belong to the people;—the Queen represents the majesty of the nation, and if the people of that country thought proper to-morrow to set up a different form of government,—if they were foolish enough to abandon the finely working and checking principles of their glorious constitution—to send adrift both the Sovereign and the House of Lords, and to form a republic, it would still be the government of England as it was during the Commonwealth. So that there is no principle more clear than that the people own the government and can do with it as they please. It is plain that the government can have no existence except by the will of the people,—that it cannot maintain itself except by their assistance and support, and that the taxes which the people of a country contribute to maintain the dynasty or government must be their voluntary gifts.

There is no power in the Constitution for taking a shilling out of a man's pocket;—he only parts with his money by his free will, and the process by which the maintenance of government is secured in the British Empire is this: that the people elect representatives with the power of levying taxes. There is no other power known to the constitution which can lay its hands on a man's property in this country. These are the sound principles of the constitution, and we find that in former times the taxes were called benevolences, subsidies, gifts, and a number of other expressions were used to imply, and which all implied that everything which the Crown demanded from the people was their voluntary gift for the purpose of maintaining and carrying on the government. Acting on these

principles such men as Chatham and the men of his country, and the Washingtons, the Madisons, the Jeffersons, the Hamiltons and the Morrisies of the United States—men who were political giants compared with the pigmy and crippled Statesmen of the existing colonies, contended with propriety that no Statute could impose a tax on the Colonies, because the colonies possessed legislatures of their own having the sole and exclusive right to levy taxes on the people. The contest for these principles was successful and will be so while the Empire remains. If these principles are sound, and I should like to see the man who can controvert them, what is the position of the British Parliament as regards the British North America Act? I have demanded that the postulate, that the people were not consulted on the question should be admitted,—I have demanded also that the postulate that there is no act of our own legislature to sanction that statute should be, and it is, admitted. What then has the Imperial Parliament done? Against the will and without the sanction of the people that Parliament has taken the liberty, not only of taxing us but of causing us to be taxed by another power. The complaint against England on the occasion of the Stamp Act was that the Imperial Legislature itself had taxed the people of the Colonies, without having power and authority. We have a worse complaint than that—ours is a much more aggravated case. What we complain of is not that that legislature has attempted to tax us, but that, what is ten thousand times worse, it has put us into the hands of other Colonies, larger, more populous, and more powerful and more extravagant Colonies—Colonies who have no feelings in common with us, who are alien to us, and authorized them to lay their hands on us and tax us at their pleasures. If the Parliament of Great Britain had no power to tax us *a fortiori* ten thousand times, it has no power to create a new legislature in any part of the world with that power. What it has not itself it could not confer on others. Therefore on British principles the act alluded to is void—it never was law because it violated the fundamental principles of the Constitution, because it imposed taxation on a people whom it had no right to tax.

The hon. member for Inverness looks us in the face, and, with an immense amount of assurance tells us that we are not taxed by a Parliament in which we are not represented, and he asks, "Are we not represented in the Canadian Parliament?" I ask what right had England to create any Parliament to tax us, giving us just such representation as she thought proper? Is not our representation in the Dominion Parliament an insult to, and a mockery of the people of Nova Scotia? Is not the man who would accept such representation, and be satisfied with it, fit for the Lunatic Asylum? How many representatives have the people of Nova Scotia to protect their interests against the Upper Canadians—against the Frenchmen of Lower Canada—the strangers and foreigners, whose names we cannot pronounce—in whose elections we take no interest—to whose returns to the Legislature we can make no objection? We have nineteen men also; if they were the

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finest men ever produced on the face of the earth—the finest statesmen ever known—every one of them as fine an orator and as profound a politician as the hon. member for Inverness—their arguments would not stop the taxation of Nova Scotia as long as they would be talking. That is the way in which we are represented, and this is the constitution which the hon. member for Inverness has been laboring to defend. The people of Nova Scotia, if they accepted such a constitution, would be as abject slaves as the people of Turkey, the serfs of Russia, the fellahs of Egypt—the most degraded people on the face of the earth. Does the hon. member suppose that the people of free Nova Scotia will submit with the certain knowledge that the Statute is void. Why is the Imperial Statute void? Simply because its preamble is false. If that preamble were true, no man would be insane enough to dispute its validity. If the people of Nova Scotia desired Confederation with Canada on the conditions imposed by that Act, and the Queen of England were willing to confederate us, there would have been nothing improper or unconstitutional in the Act. It would not then have required the interference of the Lords and Commons, because the Sovereign, as I have shewn, was the original legislator of Nova Scotia. If the Queen then had expressed a wish to the people of Nova Scotia that they should join in a confederation with Canada, and the people of Canada had assented, and the people of Nova Scotia, on being consulted at the polls, had sent to this House a majority of representatives willing and anxious for the federal union, and a Provincial Statute had confirmed it, the British Statute would have been sound and constitutional.

But that has not been the case,—the Act passed against the will of the people of Nova Scotia. It was not simply passed without consulting them, but passed after insulting them, fraudulently, dishonestly, by falsehood, by misrepresentation, by intrigue, by deception, by every species of criminality, which politicians could commit against a country. It was known to the men who went to England on the delegation, that the people did not want Confederation, and that the majority of them were opposed to it. Corruptly undertaking to bind the people of Nova Scotia in that Confederation they went to England and falsely informed the Queen, the Government and the Parliament of that country that the people desired Confederation. A fraud was practised on the people and legislature of England to obtain the passage of the Act, and we know that in law there is a very wholesome principle, that "fraud vitiates all things." Ever since the commencement of the world fraud has vitiated every human contract and transaction into which it entered. There never has been a man who, having been defrauded out of his rights, would not at the first opportunity reinvest himself with those rights, because according to the laws of nature and reason, according to natural justice fraud vitiates every transaction. A statute is not exempt from this allpervading principle of equity. A statute, powerful as it is in England, is not, I say, exempt from that principle, and the

people of this continent and of the whole civilized world will instantly join in one loud chorus to pronounce that a statute obtained by fraud to be void. The advocates of Confederation will soon find the truth of the old saying "honesty is the best policy,"—it would have been wiser in them, if they expected to gain anything by Confederation, to have submitted the question to the people at once, instead of trusting to force it on us by fraud, deception and misrepresentation.—These men, however, performed an act of political assassination, and deliberately, in Canada and with Canadian sharpers, concocted a scheme to rob Nova Scotia of her independence. These statements are all true, and I am not ashamed of the truth. I know certain classes in Nova Scotia who are ashamed of the truth,—who have a strong aversion to it, who love the opposite of truth for its own sake and the sake of its expected fruits, but I am not afraid of the truth, and I say here, that these men wickedly, maliciously and dishonestly conspired to destroy the constitution of Nova Scotia, which the people rightfully prize above all things. If they had not been fools as well as something worse we would have been in an unpleasant condition to-day, but it has been wisely ordained that the rogue is always a fool. If it were not for the folly of the knave he would never be detected, and therefore it is that the maxim has arisen "honesty is the best policy." If heaven had not affected those men with judicial blindness, our liberties would have been lost, but we owe our salvation and the salvation of the constitution to the excessive weakness of the men who having banded themselves together for the purpose of aiding the conspirators in Canada in the destruction of Nova Scotia, were so silly, such inconceivable political nincompoops, as not to perceive that it required a statute of Nova Scotia to bind the people of Nova Scotia. The same men are unable to rake up a single constitutional argument in support of their position. To this utter ignorance of every principle of constitutional law Nova Scotia must ascribe her safety.

The gentlemen who did us this favor chose the Irish job as their model; they have not even the merit of originality, for their plot is a mere imitation of the other. They had not the wit to conceive a plot of their own, but borrowed from Pitt and Castlereagh. There was, however, only a certain portion which they were capable of borrowing; they could not borrow their wisdom, for as is generally the case with servile imitators of others, they only pick up the faults and defects, while they are unable to copy the perfections or merits of their models. The McCullys, the Archibalds, the Tupperes and the Henrys, and such most worthy characters, in imitating Pitt and Castlereagh, were able to imitate them only in their vices; they were as corrupt, and even more so, because Pitt and Castlereagh pocketed nothing, while these gentlemen all managed to pocket something,—therefore they were wiser in their generation. They imitated, I say, the faults which rendered that Irish job contemptible in the eyes of the world,—which made one of the finest people in the world

the most unhappy people under the sun.—Observe now the vast distinction between the two jobs—Pitt and Castlereagh, after corrupting the Irish Parliament to transfer the legislative power to the English Parliament, did not satisfy themselves with an Imperial statute—they went further, and called for an Irish Act of Parliament, making the Irish Legislature itself confirm the Act of Union. Mr. Pitt, as we all know, was a great statesman, and although this Irish transaction was a blemish on his character, and evinced an error of judgment and a defect of morality in thinking that the end could justify the means, still he had great wisdom, and when he determined to accomplish the Union he did so effectually. When he had bound the people of Ireland hand and foot, and cast them into limbo, he took care to lock the door and to walk off with the key. But our jobbers had not sense enough to bolt the door; they were in such a hurry to enjoy the fruits of Confederation that they did not take time to think how the thing should be done, but after shutting us into limbo the arrant stupidities walked off, leaving the door ajar and the key sticking in the lock; we will certainly, therefore, open the door and walk out. By the mercy of Heaven we fell into the hands of men who did not know what they were about.

The hon. member for Inverness cited what I called a somewhat doubtful political character in Peel, who, as I stated before, had eminent qualities but the one terrible blemish which I mentioned. If he wanted to find a model I would recommend him to go to Ireland. England never was in the position of the Colonies; she never had such occasion to produce model statesmen of the cast of those I have referred to, but Ireland was in that condition—she had been robbed of her constitution, and had produced some men who were more worthy of imitation than Sir Robert Peel. If he had taken Daniel O'Connell he would have chosen for his model an honorable and patriotic statesman—a man who loved his country from his cradle to his grave, spending the whole of his most valuable life in contending to get back the constitution of which she was robbed, and a man who died advocating nobly the cause of Ireland's liberty. He was the equal of Sir Robert Peel in ability; as a man and a statesman he was his superior. He also was an orator, and as a patriot he had no equal, and he went down to an honored grave. If I were to make any man my model I would choose such a man as that, rather than one who, having forfeited the character of a steady and consistent statesman, descended into an inglorious grave. If this country were unsuccessful in obtaining Repeal she would be much in the condition of Ireland; and I ask, does the hon. member for Inverness wish to see us in that position? Does he wish to see in Nova Scotia generation after generation of discontented subjects?

In reference to the treatment which we have received at the hands of the British Government I must draw a contrast by no means flattering to that Government. If we take up the file of the despatches, we shall see with what care, correctness and impartiality the

Ministers of George II. treated Nova Scotia when Governor Lawrence thought he could do very well without an Assembly. They said "the King had pledged his royal word to Nova Scotia that its people should have a House of Assembly on the model of the British House of Commons, and we command you forthwith to summon the House." The Governor made various excuses—he thought he could do very well without the Assembly; but they answer him, "We command you to execute the royal promises, because we will not have those promises forfeited." They told him that this command was the last instructions he was to receive. This is the way in which this country was treated in those days; but how have the Ministers of Queen Victoria treated this Province? I am sorry to say a word to the prejudice of those great men, and I am willing to believe that, being doubtful of the confidence of the House of Commons, they had enough to engage their thoughts at home without looking into the affairs of the Colonies. I am willing to make every excuse for the Imperial Ministers,—they were told, it is true, by persons from this country, whom they mistook for gentlemen, that Nova Scotia most anxiously desired to be confederated, and that the scheme would be satisfactory to all concerned. But I must pause here and make this observation. In a matter of such transcendent importance, involving the fate of this, the noblest portion of the Empire, these men are chargeable with gross negligence,—they should not have been satisfied with the word of any man, but should have so framed the Act of Union that the people and legislature of this country would have been consulted upon its details. They should have sent it out with a suspending clause to prevent its coming into operation until the people had been heard at the polls, and our Parliaments had ratified it clause by clause. They are chargeable, I say, with negligence in not doing so, and if they are compelled, from the necessity of their position, to draw back and revise their steps—to admit the soundness of the arguments which I am using to-day as to the invalidity and unconstitutionality of that Act, they must go up in Parliament and state that they were wrong. I have such an opinion of the high-mindedness and integrity of that administration, that I believe they will embrace the earliest opportunity of making reparation to the people of Nova Scotia, whose rights they have treated with too much indifference.

Now, Mr. Speaker, let me ask what the condition of this country would be if we accepted Confederation? We would be absolutely at the disposal of the Canadian Parliament. They can tax unlimitedly the people of Nova Scotia, excepting that they cannot put a tax upon land. They took our railroads, our fisheries, our public buildings and our revenues, but were kind enough not to take Nova Scotia itself up to Canada—they had the kindness to make that exception. That would be the condition of this country; and let me ask, who are the Canadians that the noble and loyal people of Nova Scotia should be made subject to them? What temptation have we to enter into a Confederation with them? Has Nova Scotia ever for-



and Nova Scotia might be could assembly. They is royal word should have a del of the Bri- d we command House." The as—he thought the Assembly; mmand you to because we will feited." They as the last in- This is the way reated in those sters of Queen ? I am sorry of those great eve that, being of the House of to engage their ooking into the willing to make l Ministers,— y persons from ook for gentle- xiously desired at the scheme oncerned. But his observation. ant importance, noblest portion chargeable with d not have been any man, but t of Union that of this country upon its details. with a suspend- ing into opera- n heard at the had ratified it e chargeable, I oing so, and if ecessity of their vise their steps t the arguments the invalidity that Act, they and state that h an opinion of rity of that ad- y will embrace king reparation as, whose rights ch indifference. ask what the d be if we ac- ould be abso- Canadian Par- tedly the peo- that they can- They took our ublic buildings and enough not Canada—they hat exception. f this country; Canadians that f Nova Scotia them? What to a Confeder- Scotia ever for-

feited her constitution by rebellion? Has the blood of Englishmen ever discolored her soil? Can Canada give the same answer to those questions that we can give? Did not Canada rebel against the British authority? Did not the Canadians slay British soldiers on their soil? Did they not stone, murder and mutilate a British officer while in discharge of his duty, and does not the innocent blood of that officer, like the blood of Abel, cry from the ground? Does it not loudly warn us to have nothing to do with such men? How long shall we be subject to that French population in Canada which has stereotyped itself as a separate nationality in the Act of Union? That is one of the greatest follies of the scheme. They have created an *imperium in imperio*—while power is given to the Canadian Parliament to trample on the rights of Nova Scotia and New Brunswick, the rights of the French Canadians are not to be touched. There is to be a French nation in our midst, controlling the loyal people of Nova Scotia. Is there a man in this House who would submit to such an indignity? I think there are hardly ten men in the Province who would willingly yield to such a degradation as that.

In this debate we have been asked a very serious and important question which I shall endeavor to answer. We were triumphantly asked, "suppose when you go to England with your address you fail of success, what then?" For my own part I see no difficulty in the question. In the first place we will call on the Queen of England, who is the first constitutional sovereign on the face of the earth, we will submit to her a statement of our case in which we will shew her that we have a right to have our constitution restored; and we will ask her to be pleased to recognize the simple unquestionable right of the people of Nova Scotia to enjoy their independent constitution as it was before the Act was passed. I know that a number of gabblers say "the British Government will not do this, that and the other." I am a reasoning man, and I know that the Queen and her ministers are reasoning people, and I believe that when we have submitted to the Queen the case which I have presented to the public to-day, she will not hesitate to say to the people of Nova Scotia, "you have been most grossly insulted and ill-treated—my ministry have been completely deceived—your constitution must be immediately restored." I have no more doubt that such will be Her Majesty's language than that I am addressing the House. But suppose that insanity should overcome Her Majesty, which God forbid, and that she should say to our delegates, "go back to Nova Scotia and tell your people that they have lost their liberties it is true, that they have been made the most abject slaves on the face of the earth, but it is one and cannot be helped." Then, sir, we will go immediately to the Houses of Lords and Commons, we will instruct our delegates to apply there and to employ the first counsel in Europe to appear at the bar of those houses there to advocate the unconstitutionality of the statute as was done in the case that I referred to in the King's Bench. We may fairly expect a favorable reply to such

an appeal, for I do not think that the Lords of England—the high-minded noblemen who dignify the position of spiritual and temporal peers of the realm, will turn a deaf ear to the petition of the loyal people of Nova Scotia. Do you suppose that they have such things as McCullys and Tupper in that House? Will that House, which is the embodiment of honor, say "pooh, pooh, go back, you have got liberty enough, the French Canadians will take care of you?" No, sir; but rising with indignation the members of Parliament will say with one accord, "how dare you, Mr. Watkin, mislead the Parliament of England by saying that the people were consulted at the polls? Give your authority for the assertion."

But suppose that the Lords and Commons also became so far infatuated and intoxicated as under any circumstances to refuse to consider our rights, what next? I will tell the people what next: we will then try the Judiciary of England. I will get some gentleman to give me a note of hand for £300 sterling without a stamp,—if he refuses to pay the note because it lacks the stamp, I will sue him and take a special verdict setting forth the condition and constitution of Nova Scotia, the Governor's Commission or Charter, the Royal Instructions, the Imperial Statute,—setting forth also that the people of Nova Scotia were never consulted at the polls on the question, and that there is no statute in our Statute book referring to the union; and then if the judges of Nova Scotia place themselves in such a position that the gates of the Temple of Justice are closed against the plaintiff in that action by deciding that the note is not recoverable, I will appeal to the Privy Council, employing there the ablest counsel in Europe to advocate our rights. Poor as we are we will find the means to have our case thoroughly sifted before that high tribunal, and if that body should decide against us then we will go to the House of Lords as the highest appellate court in the Empire, and take the decision there of the ablest lawyers in the world. And then, sir, if our noble cause be rejected, what next? Will we rebel against the Queen of England? No, but when the Queen rebels against us and abdicates her authority over Nova Scotia by refusing to invest us with our rights, she will discharge us from our allegiance. But the act will be her own and we will be a free people. I do not wish to see such a state of things, and I hope that it may not occur, but if it should the Queen of England will have abdicated her Royal functions as far as this country is concerned.

Protection and allegiance are reciprocal duties,—if we owe allegiance to the Queen it is because she owes protection to us, and if she suffers our rights to be wrested from us, then, like James II, she will have abdicated the throne as far as we are concerned. The British Parliament pronounced that James, having violated the constitutional laws of the realm, had abdicated the throne, and if the Queen should place herself in that position what could we do? We must then become a republic or whatever other species of nationality we may desire to form ourselves into, and call upon the United States to guarantee



the liberties of Nova Scotians, the finest people on the face of the earth. The United States, France, even England herself, Italy, Russia, Prussia or Austria, would readily guarantee the independence of a country like this. I have not a shadow of doubt that our liberties would be guaranteed. But if it were not so, what then? Helpless, unable to protect ourselves against the surrounding nations, cast off by our rightful sovereign, rejected by her Parliament, destitute of any assistance from abroad we should have to yield to the inexorable decrees of fate; but we should do so with dignified resignation. We should then wrap around us the mantle of our rejected loyalty, our despised patriotism, and our injured and insulted rights, and if we must succumb to irresistible necessity, we will sink as Cæsar fell beneath the daggers of assassins at the base of Pompey's statue.

The House adjourned.

FRIDAY, Feb. 21.

The House met at 11 o'clock.

A call of the House was had, and the Repeal resolutions and amendments thereto were taken up.

On the resolutions being put to the House, the answer was in the affirmative.

It was moved that the vote be recorded in the Journals as unanimous.

Mr. BLANCHARD said that this was the first time he had ever heard of a member of the majority moving for a division under such circumstances. As the Speaker was aware—the voices decide and not the names. In the present case the voices had decided, and the House could not go beyond that. There was

only one way gentlemen could have a division, and that was by some one belonging to the majority calling "no" when the question was put; but whoever did so would be obliged to vote for the nays when the division took place.

Hon. SPEAKER said that the question had been put and decided in the affirmative, and now it was asked that a division be taken. He did not care to take the question in that way, unless it came from the minority. Parliamentary rules were made for the minority and not for the majority—in fact, they were intended to protect the weak. He would now, however, order that the vote be entered unanimously.

Mr. BLANCHARD would of course submit to whatever course the Speaker might adopt, but he would at the same time respectfully urge that no vote be entered unanimously except with the consent of the whole House.

Hon. SPEAKER said there were no negative voices, and therefore it was competent to enter the vote unanimously. He explained again, in answer to Mr. DesBrissay and others, that it was unparliamentary to take a division unless gentlemen answered "no" when the question was put.

Mr. BLANCHARD again contended that the vote could not be made unanimous except by general consent.

Hon. SPEAKER replied that silence gave consent, and the voices were unanimous.

Mr. MORRISON said the hon. gentleman was at last convinced on the question of Repeal.

Hon. SPEAKER hoped that gentlemen would not bring up such matters.

Mr. BLANCHARD did not require the member for Colchester to teach him his duty.

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